

MADERA COUNTY GENERAL PLAN



FINAL ENVIRONMENTAL IMPACT REPORT

VOLUME 2

OCTOBER 1995



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FINAL ENVIRONMENTAL IMPACT REPORT

VOLUME II

COMMENTS AND RESPONSES TO COMMENTS

SCH #93102017

October 1995

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VOLUME II

COMMENTS AND RESPONSES TO COMMENTS

SCH # 93102017

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Dowling Associates

Brown-Buntin Associates

Donald Ballanti

Madera County Planning Department

October 1995

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INTRODUCTION

According to Section 15132 of the *State CEQA Guidelines*, final EIRs must contain the following information:

- (a) The draft EIR or a revision of the draft.
- (b) Comments and recommendations received on the draft EIR either verbatim or in summary
- (c) A list of persons, organizations, and public agencies commenting on the draft EIR.
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- (e) Any other information added by the Lead Agency. (*Public Resources Code*).

This part (Volume II) of the *Final EIR* for the *Madera County General Plan* responds to items (b), (c), and (d), while Volume I, which is a comprehensive revision of the *Draft EIR*, addresses items (a) and (e). The following paragraphs describe the County's public review process for the *Draft EIR* and how this *Final EIR* addresses the requirements of the *State CEQA Guidelines* for responding to comments received on the *Draft EIR*.

DISTRIBUTION AND REVIEW OF THE DRAFT EIR

The *State CEQA Guidelines* requires that agencies preparing EIRs "provide adequate time for other public agencies and members of the public to review and comment on a draft EIR." (Section 15203). While the law does not generally define what constitutes adequate time, it does specify that draft EIRs submitted to the State Clearinghouse of the Governor's Office of Planning and Research should be subjected to a review period of at least 45 days. Section 15025 of the *State CEQA Guidelines* requires that draft EIRs for four classes of projects be submitted to the Clearinghouse: (1) those for which a state agency is the Lead Agency; (2) those projects for which a state agency is a Responsible Agency, Trustee Agency, or otherwise has jurisdiction over the project; (3) projects of statewide, regional, or areawide significance; and (4) reports prepared pursuant to the requirements of the National Environmental Protection Act (NEPA). The *Guidelines* (Section 15026 (b)(1)) further defines local general plans as projects fitting into the third category above (i.e., projects of statewide, regional, or areawide significance).

In compliance with requirements described above, the County submitted copies of the *Draft EIR* on the *Madera County Draft General Plan* to the State Clearinghouse on July 5, 1994, thus initiating the mandatory 45-day review period. At the same time, the County distributed copies of the *Draft EIR* to numerous local agencies, organizations, and individuals with an interest in the General Plan Update. Based on requests, the County extended the 45-day review period through September 22, 1994.

The County received written comments on the *Draft EIR* during the review period. In addition, it received numerous comments on the *Draft General Plan* from the time the *Draft General Plan* was published in June 1994 through June 1995. In January 1995, the County published comments and preliminary responses to comments on the EIR and *Draft General Plan*. In June 1995, it published a second volume of comments and responses to comments on the *Draft General Plan*.

This document includes only those comments and responses that specifically address the EIR and that were submitted during the EIR comment period.

ORGANIZATION OF THIS VOLUME OF THE FINAL EIR

This volume of the *Final EIR* is divided into two sections. The first section of this volume contains the County's response to each comment on the *Draft EIR* it received. For each letter, there is a brief summary of each comment contained in the letter along with the County's formal response. The second section includes a photocopy of each comment letter, with each individual comment marked with a unique identifier (e.g., A-2-3).

The comment letters and response sections are organized into six sections according to different classes of commentors, as follows:

- A. Cities and Counties
- B. State Agencies
- C. Federal Agencies
- D. School Districts
- E. Other Special Districts
- F. Community Organizations

SUMMARY OF COMMENTS AND RESPONSES TO COMMENTS

A. CITIES AND COUNTIES

A-1 Madera County General Plan Update Advisory Committee (8/17/94)

- A-1-1 Committee members did not recall recommending adoption of the Transportation and Circulation section of the Policy Document. Since the plan has been released for public review, the Committee can make written recommendations to the Planning Commission and Board of Supervisors.

Committee's recommendations and concerns over the Draft General Plan and EIR were included as a comment letter for consideration by the Planning Commission and Board of Supervisors.

- A-1-2 Provisions of existing community or area plans will continue until updates of the community or area plans are adopted by the County.

Minor revisions to existing area plans were made to ensure consistency with the updated General Plan. Program 1.1 provides for updates of the existing area plans.

- A-1-3 Law requires that zoning be consistent with General Plan designations. Table 1-1 in the *Background Report* is existing general plan designation/zoning consistency matrix.

After adoption of the General Plan, the County will take action to rezone areas that are inconsistent with the new General Plan designations. Program 8.3 provides for updating of the Zoning Ordinance, beginning in FY 1996-97. Table 1-1 of the Draft Background Report was made obsolete by adoption of the updated General Plan and was deleted from the final Background Report.

- A-1-4 Questioned how many parcels will require zone changes to make them compatible with the updated General Plan.

No estimates have been made regarding the number of parcels or acreage that will require zone changes as a result of the updated General Plan. Most of the zone changes will be in the western part of the county where a more restrictive agricultural designation with a minimum parcel size of 36 acres was adopted as part of the new General Plan.

- A-1-5 Plan will be subject of public review at subsequent meetings and hearings. Committee may submit comments.

No response necessary.

- A-1-6 Corrections to Background Report on page 6-14 directional references.

Appropriate corrections were made.

- A-1-7 The population figures in Table 9-4 on page 9-7 of the *Draft EIR* are incorrect.

Appropriate corrections were made.

- A-1-8 Explanation of population and employment projections and allocations and buildout holding capacity.

No response necessary

A-1-9 North Fork Indian Museum not listed in the General Plan

Information was added to the Background Report.

A-1-10 Discussion of future growth projections at 2010.

1994 population is estimated at 105,695 by the California Department of Finance. The General Plan projects a 2010 population of 177,375.

A-1-11 Individual Committee member suggests that the EIR should consider no development in the Rio Mesa new growth area as an alternative. Favors development focused in existing cities and communities rather than new growth centers that act as a suburb of Fresno.

The EIR includes an analysis of the "No Project Alternative," which proposes no new development in the Rio Mesa area.

A-1-12 Individual Committee member recommends that policy language should state that agriculture should be the primary economic basis of Madera County; original language recommended by the Committee has been weakened.

The language contained in the Policy Document, including its many goals and policies regarding agriculture, was recommended by the full General Plan Update Advisory Committee.

A-1-13 The EIR traffic analysis states that LOS E or F are acceptable; it should be considered an impact.

The EIR describes road segments where LOS is worse than D as a significant impact, except in a few borderline cases where further monitoring or study is recommended.

A-1-14 Individual Committee member suggests that the EIR is not up to standards.

Commentor does not explain where she feels the EIR is insufficient. The County does not agree.

A-1-15 Committee recommends that a list of additional roadways and improvements be forwarded to the Board of Supervisors for their consideration in the General Plan.

Based on the countywide traffic model, it was not demonstrated that these roadways improvements were warranted or could be financed. Many of the new roadways suggested would be very costly and could have severe environmental impacts. As a result, the County chose not to include these roadways in the General Plan.

A-1-16 Individual Committee member wanted to note that the Committee was to have been notified when the transportation section of the plan was completed prior to publication of the Draft General Plan.

Comment noted.

A-1-17 Request to review the figures for agricultural conversion in the West/Agriculture, Chowchilla/Fairmead, and North Fork/Millerton areas.

The figures cited are estimates based on projected development in these areas. Nearly all growth in the West/Agriculture area is projected to occur in existing communities or as dwelling units on large agricultural parcels, without converting agricultural operations. Growth in Chowchilla is assumed to occur within Chowchilla's city limits, therefore no further conversion outside the current city limits is assumed as a result of Chowchilla's growth. Growth in the North Fork/Millerton areas is also projected at relatively low rates, resulting in some loss of grazing land.

A-1-18 Individual Committee member requested that sections in Chapter 9 of the EIR on Long-term Productivity, Irreversible Effects, and Growth Inducing Impacts be expanded.

Commentor does not explain what additional information should be discussed. The County believes these sections are adequate.

A-1-19 Revisions to the list of Committee members cited in the Plan.

Suggested revisions were made.

A-1-20 Plan will be reviewed by the Planning Commission and then go to the Board of Supervisors for adoption.

No response necessary.

A-2 City of Madera (8/17/94)

A-2-1 Questions whether land use designations on section of Draft Land Use Diagram are consistent with the City's Land Use Diagram.

The Land Use Diagram is consistent with the City's General Plan Land Use Diagram. Because of the scale, parcelization, and patterns used it is somewhat difficult to discern the precise land use designations around the city of Madera on the countywide Land Use Diagram. The County will be preparing detailed maps based on the updated General Plan that will be more specific.

A-2-2 Questions the relationship between Agriculture designation in areas where City General Plan designates the areas for "Reserve" designation. Requests that General Plan text be added indicating that this designation is intended as a holding designation within the City of Madera's General Plan Area until the City redesignates them for residential uses.

Areas designated as "Residential Reserve" by the City of Madera were given an Agriculture designation on the County Land Use Diagram until such time as the City redesignates these areas for residential uses.

A-2-3 Questions whether land use designations on section of Draft Land Use Diagram are consistent with the City's Land Use Diagram.

See response to A-2-1.

A-2-4 Some areas of the Draft Land Use Diagram around the city of Madera are too detailed to discern. Suggest an inset map of this area.

See response to A-2-1.

A-2-5 Questions consistency of some roadway designations between the County's Draft Circulation Plan Diagram and the City's Circulation Plan Diagram. Suggests a larger scale map of the Madera area or listing of streets.

The source of the Circulation Plan Diagram for roadways within the city of Madera was the City's Circulation Plan Diagram; however, the results of the Countywide traffic model did not justify improvements to some roadways to the same extent as shown on the City of Madera Circulation Plan Diagram. The improvements to the roadways in the city of Madera are listed on page 4-6 of the EIR..

A-3 City of Clovis (9/9/94)

A-3-1 The EIR should analyze the outer beltway connection from Copper Avenue connecting to SR 41 that is proposed in the City of Clovis' General Plan.

The beltway was analyzed in the countywide traffic model and it was not demonstrated to provide significant benefit to address traffic generated by projected growth in Madera County and therefore could not be justified or financed as part of the Madera County General Plan. Funding for this facility is also not secured in Fresno County as it is not a part of the County's Regional Transportation Plan. It is important to note that the Madera County General Plan does not, however, preclude development of such a facility. This roadway will be one of the river crossings considered in the study of future river connections (Program 2.8). Also see response to County of Fresno Public Works & Development Services Department (Comment A-4).

A-4 County of Fresno Public Works & Development Services Department (9/12/94)

- A-4-1 The Clovis "beltway" was not evaluated in the EIR and might be warranted based on level of service projections on Avenue 12 east of Road 36, State Route 41, and State Route 99. Service levels on all these routes could benefit from additional river crossings.

The EIR acknowledges the need for additional roadway capacity across the river; it is not clear, however, that the Clovis beltway would best achieve that purpose to serve growth in Madera County; this facility would benefit growth primarily in northern Fresno and Clovis. Program 2.8 calls for a study of one or more additional river crossings to identify the new roadways and roadway improvements that could best serve development in both Madera and Fresno Counties, and to identify possible funding mechanisms. Also see response to City of Clovis (A-3).

- A-4-2 Suggests corrections to directional descriptors of the beltway in the EIR and Background Report.

Comment noted. Appropriate text changes were made.

- A-4-3 Traffic impacts from the proposed Gunner Ranch West and Rio Mesa Area Plans should be included in the EIR, as traffic from these projects would generate a need for additional river crossings.

Projected traffic by 2010 from development in all new growth areas, including Gunner Ranch West and Rio Mesa, were included in the EIR traffic projections. The EIR concludes that there is a need for additional roadway capacity across the river. Localized traffic impacts on roadways within these new growth areas were also addressed in the plans for these areas.

- A-4-4 Clarifies that Fresno County General Plan does not support continued growth along Highway 41 north of the San Joaquin River but supports urban development in cities and existing unincorporated communities.

Comment noted. The background discussion of this issue was only meant to illustrate the continued pattern of northern growth along the Highway 41 corridor.

- A-4-5 Supports comments submitted by Caltrans.

Comment noted. See responses to Caltrans' comments (comment B-1).

- A-4-6 The EIR should discuss the impacts of residents in Madera County commuting to jobs in Fresno County on services provided by Fresno City and County.

It is assumed that job growth in the greater Fresno area will result in growth pressures for housing in Madera County to serve those jobs, rather than housing growth in Madera County leading to job growth in Fresno County. The impacts resulting from job creation in Fresno County would be similar whether the workers live in Fresno or Madera County. The appropriate time to analyze those impacts, therefore, is when the City and/or County plan for and approve new commercial and industrial development. If those workers reside in Madera County, Madera County must provide all associated services. It should be further noted that the General Plan includes numerous policies and programs supporting job growth in Madera County.

B. STATE AGENCIES

B-1 California Department of Transportation (9/12/94)

B-1-1 The EIR should model traffic based on full buildout of land in the Draft General Plan to link land use and transportation and should model all river crossings, as is Caltrans and CEQA policy.

The EIR projects residential and nonresidential growth through the year 2010 and links that growth to the roadway improvements needed by 2010 to serve that growth. The holding capacity of the Land Use Diagram does include more land than is projected for development by 2010, based on historical land use planning and the inclusion of major new growth areas. However, conclusions regarding forecasts of long-term growth projections substantially beyond 2010 and assumptions regarding future technological advances would be extremely speculative. Consistent with Section 15145 of the CEQA Guidelines which states that "if, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact," the EIR concludes that evaluating the impacts of development substantially beyond 2010 would be far too speculative, given the uncertainty regarding trends that might affect growth 20 and 30 years hence and uncertainty of technological advances that may take place beyond 2010, particularly in the transportation industry.

In addition, modeling full buildout of the General Plan would not be a meaningful exercise, as some areas of the county might fully develop within 10 years while other areas of the county may have over 100 years of development potential. This would be similar to Caltrans planning improvements to the State's highway system based on buildout of all lands in the state designated for development. Clearly, this would not be a useful exercise and identifying funding to make such improvements would be impossible. To effectively plan for and fund roadway improvements, the General Plan chooses a time frame where projections can be made with some levels of certainty and where growth projections and roadway improvements are linked within a reasonable period for long-term planning.

The EIR concludes that the lack of roadway capacity is a significant impact, and identifies the need for additional capacity across the river and includes a program to participate in a study of additional roadway capacity across the San Joaquin River, in conjunction with Fresno County and other local agencies (Program 2.8). Since river crossings are a multi-county issue which will need to be planned and funded cooperatively, it would be premature to include additional facilities before such a study has been completed. When the appropriate improvements have been identified, the General Plan will be amended to include them.

B-1-2 Suggests that the LOS standard be C rather than D, unless particular area cannot achieve LOS C because of traffic characteristics or financial constraints.

This comment recommends a change in policy, and therefore, a change in EIR significance criteria. As described on page 4-4 of the EIR, in view of the current and projected financing conditions in Madera County, the County has adopted LOS D as a compromise between service level desires and potentially available funding.

B-1-3 Future studies of river crossing cannot used in lieu of mitigations.

The EIR identifies traffic service levels on SR 99 between Madera and the San Joaquin River as a significant impact. It further states that "since the preferred improvements are not identified at this time, and the County cannot guarantee the development and funding of additional capacity, the impact on SR

99 is still considered a significant impact." While the future study is identified, it is not identified in the EIR as a way to mitigate the impact to a less-than-significant level.

B-1-4 Cumulative impacts need to be directly addressed in this study. There should be a strong commitment to identify necessary mitigations and to identify funding mechanisms. Funding mechanisms should be identified in the General Plan and not as part of a future study.

The EIR analyses the cumulative impacts of countywide development, including development within the two cities. The General Plan includes specific policies and programs addressing financing improvements, including Policy 2.A.19 which calls for the County to assess fees on all new development sufficient to cover the fair share of that development's impacts and has adopted a traffic development fee ordinance based on the General Plan. The General Plan is intended to be a framework for future growth in the county, but it would not be appropriate for a General Plan to include all capital improvement plans and financing studies. These are appropriately identified as programs of the General Plan. The County believes these policies and programs do demonstrate a strong commitment to financing roadway improvements in the county, and has already undertaken implementation and is in the process of developing a roadway improvement financing plan.

B-1-5 The EIR should include more detailed information including raw data, model runs, and LOS calculation worksheets.

The land use inputs into the model are included in Appendix C of the EIR. The EIR includes the methods for calculating LOS on page 4-4. The plots showing the traffic volumes are too large to include in the EIR, but are available for review by interested parties at the Madera County Transportation Commission, 411 N. I Street, Suite A, in Madera. In connection with the Highway 41 project, Caltrans has been involved in Madera County's modeling efforts and should be familiar with the model.

B-2 California Department of Conservation, Division of Mines and Geology (8/19/94)

B-2-1 Recommends that Table 7-2 be deleted from the Background Report since it is dated and no longer reflects current seismic safety planning techniques used by state or federal agencies.

The table was removed from the Background Report.

B-2-2 Include maps of seismic zonation in the Background Report published by FEMA in 1991.

The maps are included in Appendix E of the Background Report.

B-2-3 Recommend that DMG Special Publication 42 be cited in the Background Report to support the statement that no active faults have been recognized in Madera County.

The citation will be added to the discussion in the Background Report.

B-2-4 Submitted a new bibliography of geologic reports to use as a scientific reference document.

The bibliography was included in Appendix E of the Background Report.

B-3 California Department of Fish and Game (8/23/94)

- B-3-1 Plant and wildlife resources occurring in the county will be significantly affected by anticipated growth. These resources have not been thoroughly described in the Draft EIR. Mitigation measures and frameworks or standards have not been proposed which would reduce these impacts to less-than-significant levels. The document fails to provide the level of analysis necessary to streamline, expedite, or simplify subsequent environmental review. Even broadest level of analysis is essentially postponed to later project development stages.

The EIR confirms CDFG's assertion that plant and wildlife resources occurring in the county will be significantly affected by anticipated growth. The EIR also acknowledges that mitigation measures have not been proposed which would reduce all impacts to a less-than-significant level. Although the General Plan includes a number of policies designed to reduce impacts to sensitive biotic resources, the EIR has concluded that the levels of anticipated growth under the General Plan are so great that impacts cannot be mitigated to a less-than-significant level.

As will be discussed more specifically in responses to other CDFG comments, the "thoroughness" of the EIR (and more specifically, the Background Report) in describing existing biotic resources is appropriate for a general plan update. County planners can locate the principal biotic habitats and the general area of sensitive habitats subject to special regulations (e.g., vernal pools, riparian habitats, habitats suitable for special status species, etc.). Unknown populations of federally endangered plants and animals have also been identified. Therefore, the Background Report provides clear guidance for future planning and the preparation of project level CEQA documents.

Most importantly, the information provided on the biological resources of the County are sufficient to assess the impacts of the General Plan. In fact, contrary to the assertion that the EIR defers analysis of impacts to later project development, it provides a clear assessment of impacts associated with new growth areas and areas slated for rural and agricultural development.

Although the CDFG infers that the level of discussion and impact analysis has been too general, or vague, some of the most critical biological resources issues associated with future county growth were clearly identified. Three such issues were dealt with as follows:

Vernal pools. The EIR provides an estimate of 250 vernal pools within the Rio Mesa New Growth Area (page 7-43). It notes that some of these pools provide habitat for sensitive species. These pools are located in areas designated by the Rio Mesa Area Plan for low density residential development. The EIR states that "meaningful replacement of large vernal pool complexes such as those of the Rio Mesa new growth area is neither technically not economically feasible." The EIR concludes that impacts to vernal pools resulting from implementation of the Rio Mesa Area Plan would be significant and could not be mitigated to a less than significant level. This analysis accurately reflects existing conditions (even without knowing the exact number of acres of vernal pools involved), elements of the Rio Mesa Area Plan, and what is known about technical capabilities to create replacement vernal pools habitats. Therefore, the EIR unambiguously informs the reader that implementation of the Rio Mesa Area Plan will result in significant unmitigable effects. This analysis was not deferred to come later time during the planning process. It should also be noted that impacts to vernal pools from other forms of development (pages 7-44 and 7-45) are similarly treated.

Riparian Habitats. The EIR clearly states that implementation of the Rio Mesa Area Plan will significantly affect the ecological values of the San Joaquin River and associated riparian habitats

(page 7-43). Buffers provided within the Policy Document would be inadequate to mitigate these effects to a less-than-significant level. This analysis was not deferred to some later time during the planning process. Impacts to riparian habitats from other forms of development (pages 7-44 and 7-45) are similarly treated.

Foothill Habitats. The EIR clearly states that implementation of the updated general plan would eliminate or modify large areas of foothill habitats (these impacts cannot be quantified in the absence of specific plans) and would obstruct wildlife movement routes. The level of environmental impact is expected to be significant. The EIR concludes that impacts could not be mitigated to a less than significant level. This analysis was not deferred to some later time during the planning process.

B-3-2. The EIR fails to adequately identify biological resources in the county (pages 1, 2, and 3 of the comment letter). In fact, the letter implies that even a minimum level of specific resource assessment is absent from the document, and, therefore, "it is impossible to assess growth impacts, devise feasible mitigation measures, or provide for streamlined environmental review of subsequent projects." The CDFG recommends that disclosure of biological resources be based on CNDDDB information, resources identified during the environmental review for other projects (Rio Mesa Planning Area), and CDFG inventories. The total acreage of known sensitive resources should be included so that these could be compared with total acreage of predicted growth. A more full disclosure of biological resources would include:

1. A more comprehensive inventory of known sensitive wildlife resources in the county. The CDFG believes that discussion of several sensitive species was omitted from the document. Sensitive species not discussed included: a) Swainson's Hawk; b) Giant Garter Snake; c) Mountain Lion; and d) bears.
2. The document does not address the effects of additional growth on existing wildlife related recreational opportunity. It is likely that additional growth will result in both a decrease in private lands available for hunting and fishing opportunity and increased hunting and fishing pressure on remaining public and private lands.
3. Biological inventories of areas that appear to have both a high potential for supporting sensitive species and/or significant wildlife habitat and high potential for increased General Plan-related growth, agricultural expansion, or increased recreational use.

Existing biological resources of the county are identified in the Background Report and summarized in the Environmental Impact Report. The information provided in these documents must be sufficient to (1) permit an analysis of countywide impacts from development under the General Plan; (2) recommend General Plan policies which would mitigate significant environmental impacts; (3) determine whether significant environmental impacts would remain unmitigated, General Plan policies notwithstanding; and (4) provide direction for more thorough baseline surveys for area plans and project level EIRs. The section of the Background Report dealing with biological resources provides sufficient information to accomplish all four objectives.

It is important to note that the information found within the Background Report was derived from existing sources of information and field verified where possible. Detailed surveys for special status species, sensitive habitats, wildlife movement corridors, etc., were not conducted during the preparation of the Biological Resources section of the Background Report. Such surveys go far beyond the level of work typical of a general plan EIR. Rather, information-gathering activities included a careful review of the

California Natural Diversity Data Base (referenced on pages 6-37 and 6-65), the Wildlife Habitat Relationships (WHR) data base and related documents (referenced on pages 6-20 and 6-65), and existing documents related to the biotic resources of Madera County (cited throughout the document and listed in the bibliography on page 6-65). A number of CEQA documents for projects in Madera County were reviewed. Biologists from the California Department of Fish and Game, the California Division of Forestry, Caltrans, the U.S. Fish and Wildlife Service were all consulted. So also were private consultants with specific expertise in biological resource issues as they relate to Madera County. An extensive collection of up-to-date aerial photographs were used to define the boundaries of sensitive habitat areas. Reconnaissance level surveys were undertaken to corroborate information gathered from other sources. In short, a considerable amount of information was included in the background report and it is difficult to understand the inference made in the CDFG letter that even the minimum amount of information required to assess growth impacts in Madera County is absent from the document.

A variety of sensitive biotic habitats are described in detail, their interrelationships discussed, the sensitive plants and animals using them identified, and their general locations delineated on a County map. This level of analysis seems to be altogether appropriate for a General Plan. In fact, this level of analysis did not omit discussion of Swainson's Hawks (pages 6-21, 6-25, 6-39, and B-2), giant garter snakes (6-38 and B-8), mountain lions (6-25, 6-28, and B-8) and black bear (6-28 and B-9). Given their distribution in Madera County, it is not at all clear that implementation of the General Plan would result in impacts to these species, which would be considered significant as "significance" has been defined in the CEQA Guidelines. Impacts to these species are considered below.

Swainson's Hawks. In general, neither new urban or rural development has been proposed by the County in areas where Swainson's Hawks are known to nest and forage. For example, Swainson's Hawks are known to nest along the San Joaquin River in western Madera County where no new growth is planned. Developments within the urban limit line for the City of Chowchilla may diminish somewhat available foraging habitat for any nesting individuals along Ash Slough, but such impacts will not result from implementation of the Madera County General Plan. Therefore, the EIR has concluded that implementation of the General Plan will not result in significant effects on Swainson's Hawks.

Giant Garter Snakes. Giant garter snakes may occur along portions of the San Joaquin River and/or limited marshlands along it. No rural or urban growth has been proposed by the Madera County General Plan in these areas. Therefore, the EIR has concluded that implementation of the General Plan would have no effect on these habitats or the giant garter snakes potentially occurring in them.

Mountain Lions. As indicated in the CDFG comment letter, continued population growth in Madera County will probably lead to "increased human/mountain lion interactions resulting in adverse effects to both species." The EIR does identify growth-related impacts to wildlife in general, and deer and mountain lions in particular, as "significant" (see page 7-33 of the EIR).

Black Bears. Same response for mountain lions.

The EIR predicts that there will be a significant loss of wildlife habitat if County growth projections contained in the General Plan are realized, but it does not directly address the resulting impacts on hunting and fishing opportunities. For example, the EIR has determined that resident and migratory deer populations will be particularly affected by future growth (see page 7-33 of the EIR). These impacts have been considered to be "significant" by the EIR, because CEQA provides guidance for identifying impacts which substantially diminish habitat for fish or wildlife as "significant." A careful review of the CEQA

Guidelines does not indicate that future impacts to game animals will be significant because of a corresponding decline in hunting and fishing opportunities. There will, of course, be an increase in hunting and fishing pressure on undeveloped public and private lands, but both activities are regulated by the California Department of Fish and Game. The CDFG has imposed limits in the past on both hunting and fishing to better manage dwindling resources and presumably could and would do so again in the future.

In response to the concern that biological inventories should have been included which focused on vernal pool habitats, we wish to emphatically state that such inventories have been included. The Background Report describes in detail vernal pools (pages 6-23 and 6-24), their biotic values, their location (considerable time was spent analyzing aerial photographs in order to provide an accurate map of existing vernal pool complexes in the county) (Figures 6-11 and 6-13), and the sensitive plants and animals that occur in them, etc. From this information, it can be clearly discerned by planners, agency personnel, and average citizens, that proposed urban and rural growth in such areas are likely to result in significant impacts to these sensitive resources. Moreover, as discussed later, the EIR clearly identifies those features of the General Plan which will result in significant impacts to vernal pools. The Background Report does not identify individual vernal pools. There are several thousand such pools in Madera County (and an estimated 250 such pools in just the Rio Mesa New Growth Area). Mapping them all for the General Plan was neither feasible nor necessary. For a variety of reasons (CEQA, Clean Water Act permits, Endangered Species Act permits, etc.), vernal pool mapping will be necessary for individual projects located within known areas of vernal pools as identified in the Background Report.

Similarly, foothill habitats are thoroughly described in the Background Report and the information is used to assess impacts of the General Plan. Mapping these habitats (and others) at a level of detail which would permit the compilation of habitat by habitat acreage figures was not at all feasible. Foothill habitats of Madera County, for example, occur as a complicated mosaic, the detailed mapping of which far exceeds the scope of work appropriate for a General Plan EIR.

B-3-3 Proposed growth in the county would result in more than double the current human water demand. This level of increase, in a county where water quantity and quality problems already exist, could likely result in impact to wildlife. Increased surface use of water, as currently proposed for the Rio Mesa area or reliance on springs could result in loss of wildlife and riparian habitat over broad areas. Drawdown associated with increased groundwater usage could impact sub-surface flows that support wildlife habitat. These effects need to be considered and an acceptable surface and groundwater supply-use balance established as a guiding feature of the plan.

Flows of surface water in most rivers and creeks of the western San Joaquin Valley are the result of discharges of stored water in upstream reservoirs. The depth to groundwater in Madera is approximately 70 feet. The depth to groundwater in the vicinity of Rio Mesa and Madera Ranchos is in excess of 100 feet. Groundwater pumping has so lowered groundwater levels already that additional pumping will have at most localized effects on surface waters in creeks and rivers. Therefore, additional groundwater pumping in the western San Joaquin Valley, which is a critical concern for humans, will probably have only small localized effects on wildlife, or will have no effects at all.

Groundwater is highly localized in mountain areas since it is stored in fractures within the solid bedrock. Wells within mountain areas are commonly 300 to 500 feet in depth. Pumping of groundwater within mountain areas will have little effect on surface flows which, on many rivers and creeks have disappeared by early summer already. Therefore, additional impacts to wildlife resulting from additional groundwater pumping are unlikely to be substantial.

- B-3-4 The no-net-loss of wetlands (Policies 5.D.1 and 5.D.2) in the Rio Mesa New Growth Area will be difficult to achieve. Significant vernal pool and other wetland areas should be identified and preserved in a programmatic manner.

This comment supports the conclusions of the EIR.. The EIR states on page 7-43 that a no-net-loss policy "could not be fully implemented, however, if development occurs in the locations and to the extent shown in the Rio Mesa Area Plan." It also states that "meaningful replacement of large vernal pool complexes such as those of the Rio Mesa new growth area is neither technically nor economically feasible." Finally, the EIR states that "impacts to vernal pools.....resulting from development in the Rio Mesa new growth area are considered significant and cannot be mitigated to a less-than-significant level.

- B-3-5 Regarding Policy 5.D.4 , a standard riparian setback of 100 feet for non-vegetated channels and 50 feet from the outer edge of riparian vegetation on vegetated channels will in many cases not provide adequate preservation of riparian resources. Recommends the following setback requirements: 1) in urban areas (more than one unit per two acres), building and clearing setbacks of 100 feet for perennial streams and 75 feet from intermittent streams and 2) in nonurban areas, setbacks of 300 feet for large perennial streams, 150 feet for nonperennial streams, and 100 feet for intermittent streams.

This comment supports the conclusion of the EIR. The EIR states on page 7-43 that the suggested buffers "cannot meaningfully protect the ecological values of the complex of habitats associated with large rivers" and "the effects of many people living immediately adjacent to the river and its habitats cannot be lessened."

- B-3-6 Regarding Policy 5.D.5, believe that this policy can only be effective if these remaining upland areas adjacent to wetlands and riparian areas are identified prior to making land-use change decisions.

Upland habitat areas critical to the feeding or nesting of wildlife species associated with wetland and riparian areas will be identified in the project level EIRs. Projects which eliminate such upland habitats will be considered inconsistent with General Plan policies.

- B-3-7 Concern over citing the San Joaquin River Parkway Plan as a mitigation measure for impacts to Parkway-associated habitats as the Plan proposes an increase in human disturbance and has undergone no environmental review.

The goals of the San Joaquin River Parkway Plan, if met, would in fact mitigate many development-related impacts to the San Joaquin River. Support of those goals and the implementation of County planning policies consistent with them would substantially ameliorate the effects of development on the river. As correctly pointed out by the CDFG, the implementation of the plan would introduce additional human disturbance to portions of the river. Therefore, the EIR clearly acknowledges that "development in the Rio Mesa new growth area is expected to result in significant effects on the ecological values of the San Joaquin River's riparian corridor, despite General Plan policies to protect these resources."

- B-3-8 Habitat must be identified and programmatic standards adopted prior to approval of land use changes for Policy 5.E.1 to be effective.

It is appropriate that such areas be identified for individual area plans, or for specific projects where area plans have not been prepared. Significant habitat areas have been sufficiently well identified in the General Plan EIR to give the County and the preparers of subsequent CEQA documents the necessary guidance for more detailed surveys.

B-3-9 As described in Policy 5.E.2, how will the areas known to have particular value for wildlife be defined and identified? Is this measure to apply to lands of low wildlife value than those discussed in Policy 5.E.1?

These lands are to be identified during CEQA review for area plans and/or specific projects. "Areas known to have particular value for wildlife" would include riparian areas, wetlands, known wildlife movement corridors, deer winter range, etc. Such areas have been generally identified in the Background Report.

B-3-10 It is impossible to insure the conservation of sufficiently large continuous expanses of native vegetation to provide suitable habitat for maintaining abundant and diverse wildlife as described in Policy 5.E.6 without identifying such areas prior to approval of land use changes.

It is the position of the EIR that such areas should be identified in sufficient detail to insure their conservation during the CEQA review process for area plans. It is altogether appropriate that the General Plan identify such areas sufficiently to ensure that subsequent EIRs delineate them in greater detail.

B-3-11 Regarding Policy 5.E.10, what is the definition of a significant ecological resource area? CDFG recommends that it be defined to include habitat where state or federally-listed threatened or endangered plants and animals could occur, or other special status species. Reconnaissance level surveys should include an assessment of habitat quality. Approval of discretionary projects should be based on the applicant's ability to avoid or mitigate impacts. This policy would be particularly effective if implemented in conjunction with a formal Habitat Conservation Plan.

Comment noted. The definition of significant ecological resource area was added to the glossary in the Policy Document.

B-3-12 Regarding Policy 5.E.11, the County will require a buffer with a minimum width of 150 feet between existing or planned urban development and what?

This policy reflects a goal of the San Joaquin River Parkway Plan, and presumable refers to a buffer between the wildlife corridor and existing or planned urban or suburban uses.

B-3-13 Suggests clarifying language to Background Report discussion regarding CDFG's and the U.S. Army Corps of Engineers' jurisdiction.

The Background Report was revised as suggested.

B-3-14 Encourages the County to prepare an additional Wildlife Element in order to provide adequate protection for wildlife resources.

Comment noted. The EIR preparers are familiar with the Tuolumne County Wildlife Project and concur with the CDFG that the approach taken by this project has considerable merit. Full implementation of

the Madera County General Plan policies (particularly those related to fish and wildlife habitat) will accomplish many of the same objectives of the Tuolumne County Wildlife Project.

B-4 State Lands Commission (9/22/94)

B-4-1 Submitted a completed survey of the State's interests in the San Joaquin River bed.

Comment noted. The County will retain the information for use in future proposals in the area.

C. FEDERAL AGENCIES

C-1 U. S. Army Corps of Engineers (9/12/94)

C-1-1 Reiterated the Corps' jurisdiction as it pertains to wetlands and suggests that the County consider alternatives to filling in wetlands when it considers development projects.

Policy 5.D.1 requires the County to comply with the wetlands policies of the U.S. Army Corps of Engineers and other agencies, and according to Policy 5.D.2, the County shall require new development to mitigate wetland loss through any combination of avoidance, minimization, or compensation. Avoidance will be considered in the County's review of development projects.

C-2 U. S. Department of the Interior, Bureau of Reclamation (9/12/94)

C-2-1 Does the Agriculture Exclusive designation allow grazing?

Grazing is considered an agricultural use and would be allowed in the Agriculture Exclusive, Agriculture, and Open Space designations.

C-2-2 Suggests that a separate land use designation be developed for wetlands, riparian habitats, critical wildlife habitat, habitat for special wildlife species, vernal pools, cultural resources, alkali desert scrub habitat, and other environmentally sensitive features.

This kind of designation would be extremely difficult to designate and to identify appropriate uses and development standards. First, this would require a biological and cultural resources survey of all land within the county, which would be neither feasible nor appropriate at the General Plan level. Further, these various kinds of features vary greatly in terms of sensitivity to development. The General Plan includes a body of policy to address the impacts on these resources as part of the area plan and development review process.

C-2-3 Clarifies Background Report discussion concerning Millerton Lake State Recreation Area.

The Background Report was revised to reflect this clarification.

C-3 U.S. Department of the Interior, Fish and Wildlife Service (9/12/94)

- C-3-1 Development under the Draft General Plan would result in a loss of a variety of wildlife habitats and species, including habitat for special status species. The EIR concludes the implementation of the plan would result in a significant loss of biological resources.

This comment reiterates the conclusions of the EIR. No response is necessary.

- C-3-2 Suggests that the best method to protect habitats is by avoidance of wetland and sensitive species habitats, as other mitigation efforts are rarely fully successful and often more costly than avoidance. For those unavoidable impacts, USFWS recommends that mitigation be initiated prior to the onset of construction to avoid any lag between project construction and completion of mitigation.

Comment noted. The General Plan provides for addressing wetlands and sensitive species impacts through avoidance, minimization, or compensation. The EIR concludes that some wetland areas will be developed and will require off-site mitigation. Mitigation for specific projects will be addressed through consultation with all appropriate agencies.

- C-3-3 USFWS goal for wetland mitigation is non-net-loss of in-kind habitat value or acreage (whichever is greater).

Policy 5.D.1 states, in part, that "the County shall comply with the wetlands policy of the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the California Department of Fish and Game." This policy also requires coordination with these agencies.

- C-3-4 States the criteria used by the USFWS in advising the U.S. Army Corps of Engineers on projects involving dredge and fill activities, including wetlands some riparian categories; the USFWS may recommend the "no project" alternative for those projects which do not meet all its criteria.

Comment noted.

- C-3-5 The USFWS recommends full mitigation for any impacts on fish and wildlife with the following elements, in order of desirability: 1) avoiding the impact, 2) minimizing the impact, 3) rectifying the impact, 4) reducing or eliminating impact over time, 5) compensating for impact.

Policy 5.D.2 generally supports these efforts to address wetlands impacts.

- C-3-6 Considers the source used in the EIR for habitat names somewhat dated, recommends a different source.

The revised source recommended by the USFWS is still in draft form, and is therefore not considered appropriate to use for the purposes of this EIR. In addition, using a revised system would not change any of the conclusions of the EIR.

C-3-7 Part of Madera County occurs within breeding range of the peregrine falcon and contains suitable nesting habitat and there is also suitable roosting habitat for wintering bald eagles. Policy 5.E.1 addresses this issue; when specific projects are planned in these areas, there should be site-specific analyses to determine whether proposed projects will affect these species.

Comment noted. This is the intent of Policy 5.E.1.

C-3-8 Corrections to the Background Report describing the candidacy status of some special status species.

These corrections were made.

C-3-9 Development under the Draft General Plan could affect several special-status fish species, including the Lahontan cutthroat trout, Paiute cutthroat trout, and Kern Brook lamprey. Activities could also affect the San Joaquin River and affect the Delta smelt and salmon restoration efforts in the San Joaquin River.

Development under the General Plan is not expected to impact any of these fish species. Based on information available, the Lahontan cutthroat trout and the Kern Brook lamprey are not found in Madera County. The Paiute cutthroat trout is found in Stairway Creek in the Ansel Adams Wilderness; the General Plan designates this area for Open Space, however, and projects no land use changes in that area of the county. There is no evidence that the Delta smelt occurs in the stretches of the San Joaquin River within Madera County, and since the San Joaquin River is dewatered in most years at the SR 152 crossing, it would be unlikely that any Delta smelt could even travel from the Delta to this part of the San Joaquin River. While there was some discussion about increasing releases from Friant Dam to restore salmon to San Joaquin River, the U.S. Secretary of Interior has indicated that the Department has no intention to restore salmon to the river.

C-3-10 Development under the Draft General Plan could affect several special status reptiles and amphibians.

This comment supports the conclusions of the EIR..

C-3-11 Development under the Draft General Plan could affect the valley elderberry longhorn beetle and other invertebrates.

This comment supports the conclusions of the EIR.

C-3-12 Surveys for the San Joaquin kit fox, Fresno kangaroo rat, and blunt-nose leopard lizard would utilize the protocol developed the California Department of Fish and Game.

Comment noted.

C-3-13 Information and maps concerning candidate species in California may be obtained from the California National Diversity Data Base.

Comment noted. The EIR uses the CNDDB as a source of information.

C-3-14 The County must address the regulatory requirements of the federal Endangered Species Act of 1973 as amended, including either federal consultation or an "incidental take" requirement for any taking of a federally listed fish and wildlife species.

Comment noted.

C-3-15 Recommend that appropriately designed surveys for listed, proposed, or candidate species be undertaken by qualified biologists. If such a survey indicates that a listed, proposed, or candidate species would be affected, a mitigation plan for the proposed project's impacts should be developed in consultation with the USFWS and CDFG. Including candidate species early in the planning process, it may be possible to avoid conflicts if species become listed before the project is complete.

Comment noted. Site-specific surveys will be required at the time of area plan, specific plan, or development project environmental review. General Plan policies require identification and mitigation of impacts on special status species, including candidate species. The General Plan and EIR identify candidate species in Madera County, since many of these species are likely to change status within the life of the plan.

C-3-16 Madera County contains large areas of fish and wildlife habitat which would be modified or lost as a result of implementation of the Draft General Plan. Recommend that significant natural resources, particularly wetlands, be avoided. Also recommend that the County develop a habitat management plan with multi-agency and landowner participation prior to development of any specific plans in the county.

This comment supports the conclusions of the EIR. Policy 5.E.4 calls for the County to consider developing a formal habitat conservation plan.

D. SCHOOL DISTRICTS

D-1 Chawanakee Joint School District (9/7/94)

- D-1-1 Requests a change in the language of Policy 3.I.6 to replace the word *should* to *shall* as follows "The County shall work closely with school districts and, where legally feasible, the County *should* provide a mechanism which, along with state and local sources, requires development projects to satisfy an individual school district's financing program based upon evidence of their impactation." This language regarding schools would be consistent with language addressing other public facilities and services and is necessary to address the impacts on school facilities.

The schools policies were discussed during the public review process for the General Plan based on the comments by school districts in the county, and a revised set of policies is included in the adopted General Plan. Policy 3.I.8 requires full mitigation of school impacts by new development if all other means of funding have been exhausted.

D-2 Lozano Smith Smith Woliver & Behrens (Madera Unified School District)(9/9/94)

- D-2-1 EIRs must identify specific mitigation measures that are specific, feasible actions that will actually change adverse conditions. Mitigation measures consisting only of further studies or consultation with other agencies may not be adequate and should be avoided.

The EIR identifies policies contained in the General Plan as a means of reducing or addressing many of the impacts of the plan. The Governor's Office of Planning and Research's publication, Tracking CEQA Mitigation Measures Under AB 3180 (January 1994) states that "[in] the case of a general plan, many mitigation measures are (or should be) integrated directly into the plan's policies." As a long-term plan for the county, it is entirely appropriate that some of the plan's policies call for coordination and consultation with other agencies and identification of future studies. The EIR lists the school financing policies of the General Plan (Policies 3.I.8 through 3.I.12) as helping to support school districts in their efforts to site and finance new school facilities.

- D-2-2 The EIR notes that it may not be possible to require existing approved subdivisions to fully mitigate the impact on school facilities, however, the EIR should note that requiring new development to fully mitigate its impacts on school facilities would substantially lessen the significant impact of growth on school facilities.

Policy 3.I.8 requires new development to fully mitigate impacts on school facilities if not other means of funding are available, which should substantially reduce the impacts of growth on all schools districts in the county, including the Madera Unified School District. Only in the Madera Unified School District is the inventory of approved lots so great that the EIR concludes that no mitigation measures are available to reduce the significant impact from housing development on these lots.

- D-2-3 The County must adopt policies and mitigation measures to at least substantially lessen the impacts on school facilities. Policies relating to school siting and financing should be worded in mandatory terms, in policies 3.I.2, 3.I.3, 3.I.4 the word "should" with the word "shall" and in Policy 3.I.6 the word "may" should be replaced with the word "shall."

Policies 3.I.2 and 3.I.3 address general principles for planning in relation to school facilities, and the commitment would not be strengthened by using the word "shall." Policy 3.I.4 was changed as suggested. Policy 3.I.6 was replaced by 3.I.8, requiring full mitigation of school impacts.

- D-2-4 Madera Unified School District enrollment figures as of September 1994 are higher than those used in the EIR.

Enrollment figures cited in the Background Report are 1992/93 school year, used as the baseline for developing estimates for school facilities and linked to development levels in the district as of that date. Development from 1992/93 through 2010 and students assumed to be generated by that development is included in the assessment of need for future school facilities.

- D-2-5 The EIR and Background Report incorrectly report that a junior high school is planned in the Ranchos area. The District has acquired a site in the area but has no specific plans for a school at this time; however, a new junior high will open in east side of the city of Madera will open in 1995.

Appropriate corrections to the Background Report and EIR were made.

D-2-6 Student yield factor and single-family/multi-family housing ratio cited on page 5-45 is no longer accurate.

Corrections were made to incorporate the District's Development Fee Justification Study.

D-2-7 Supports policies requiring and encouraging joint County-School District development of facilities.

Comment supports General Plan policy language.

E. OTHER SPECIAL DISTRICTS

E-1 Madera County Mosquito and Vector Control District (9/9/94)

E-1-1 Conversion of agricultural and grazing land to urban uses will result in urban development adjacent to agricultural operations which produce mosquitoes capable of transmitting diseases.

Comment noted. The General Plan includes policies to encourage orderly conversion of farmland to minimize premature conversion. In an agricultural county, it is often impossible for growth to occur in cities and unincorporated communities without converting agricultural operations and creating an urban/agricultural edge.

E-1-2 The District's effectiveness in controlling mosquitoes is limited by state and federal laws limiting some controls and higher resistance levels in target species.

Comment noted.

E-1-3 The District's limitations are heightened with efforts to recreate a natural or predevelopment habitat, as in Rio Mesa and Gunner Ranch West new growth areas.

It is not clear to which efforts the commentor is referring to in connection with development in the Rio Mesa and Gunner Ranch West Areas. Specific development plans are addressed separately in plans and EIRs for these areas. Development in new growth areas will, however, result in exposure of people to mosquitoes.

E-1-4 The District will continue to provide for vector control, but cannot guarantee a mosquito-free environment. Newly developed areas should be informed in advance of seasonal mosquito infestations.

Comment noted.

E-2 San Joaquin Unified Air Pollution Control District (9/12/94)

- E-2-1 Supports the policies and programs of the Draft General Plan and notes that the plan contains many of the strategies promoted in the District's *Air Quality Element Guidelines*. Full implementation of the policies will cause less emissions and reduce overall air quality impacts.

Comment supports policies in plan.

- E-2-2 Agrees with EIR conclusions regarding impacts on air quality. Programs in Draft General Plan will help reverse the trend of rapidly increasing vehicle use.

Comments supports EIR conclusions.

- E-2-3 District looks forward to working with Madera County to ensure that individual development projects fully incorporate air quality policies and programs.

Comment noted.

E-3 Fresno Metropolitan Flood Control District (9/16/94)

- E-3-1 Recommends policies requiring preservation of natural drainage/watercourses through easement dedication at the time of dedication.

Policies 3.E.5 and 3.E.8 address this issue, by encouraging project designs that maintain natural site drainage conditions and encourage the use of natural drainage systems.

- E-3-2 The District recommends a higher degree of flood protection around the San Joaquin River (i.e. 40-year flood event).

The County chose a 100-year flood event as the appropriate minimum level of flood protection.

- E-3-3 The EIR does not adequately address the impact on the San Joaquin River from future urban runoff, and should include mitigation measures to ensure that appropriate construction and post-construction controls will be required for development projects to reduce stormwater pollutants.

This issue is addressed in policies and programs of the General Plan. Policy 3.E.6 states that "future drainage system discharges shall comply with applicable state and federal pollutant discharge requirements" and Program 3.6 requires the County to prepare and adopt ordinances and programs as necessary and appropriate to implement required actions under state and federal stormwater quality programs.

- E-3-4 General Plan documents tend to discount the risk to persons or development with dam failure inundation areas, and should consider the potential risks as required by law.

In designating land uses and developing policies, the County did indeed take into consideration the risks associated with potential dam failure inundation, and complied with all statutory requirements for this issue. Most of the population growth within dam failure inundation areas is projected to occur around the cities of Chowchilla and Madera under each cities' jurisdiction. The most appropriate response for the County to address this issue is to provide for adequate emergency response and evacuation plans.

E-4 Coarsegold Resource Conservation District (9/7/94)

- E-4-1 The Draft General Plan should include an additional policy addressing the issue of air pollutants from the Altamont Pass affecting the San Joaquin Valley Air Basin and encouraging those communities and areas responsible for the pollution to address it.

While recent air quality studies acknowledge that air pollutants from the greater San Francisco Bay Area affect air quality in the San Joaquin Valley, Madera County is not in a position to address this issue unilaterally. Policy 5.J.1 calls for the County to cooperate with other agencies to develop a consistent and effective approach to air quality planning and management. This would include supporting efforts by the air district to address the issue of pollutants from outside the basin.

E-5 San Joaquin River Parkway and Conservation Trust (9/12/94)

- E-5-1 Supports inclusion of the general goals and objectives of the Parkway in the Draft General Plan, and notes that the San Joaquin River Conservancy has been created to acquire and manage public lands within the San Joaquin River Parkway.

The letter generally supports the inclusion of the goals and objectives concerning the San Joaquin River Parkway. The Background Report was revised to discuss the formation and responsibilities of the San Joaquin River Conservancy.

F. COMMUNITY ORGANIZATIONS

F-1 Oakhurst Residents Association (9/9/94)

- F-1-1 Questions how the EIR conclusions that cumulative impacts of development include the general intensification of land uses in the region and a transition from an agricultural landscape to an increasingly urban setting is reconciled with the goals of the Oakhurst Ahwahnee Area Plan to preserve the area's rural nature and low residential density.

The statement in the EIR addresses the overall increase in development and population in the county over the next 20 years; the most dramatic changes would be expected in the new growth areas and around the city of Madera. Growth in the foothills and mountain regions, while expected to be fairly significant, would continue at low densities as designated by the General Plan and Oakhurst-Ahwahnee Area Plan. It is true, however, that substantial grazing land would be converted in the foothills and mountain areas with projected growth under the General Plan, but it is expected that this would be converted to rural residential development and not higher density urban style development.

- F-1-2 Questions how the terms "community" and "local government" are meant in section entitled "Purposes of the General Plan" in the Introduction of the Draft Policy Document where it states "To define the community's environmental, social, and economic goals and to record the local government's policies and standards for the maintenance and improvement of existing development and the location and characteristics of future development."

In this context (i.e., introducing the countywide general plan), these terms are meant to indicate the Madera County government and the large countywide community. Local community (e.g., Oakhurst) and city goals are intended to be addressed in the framework of area and/or community plans.

- F-1-3 Questions whether the policies of the Draft Policy Document will be included in any area or specific plan for Oakhurst and in what way an Oakhurst Specific Plan could alter the land use decisions and policies of the General Plan.

The policies of the General Plan, when adopted, will apply countywide (except within city limits), including within any areas that have adopted area or specific plans. If a subsequent plan is not consistent with the policies of the General Plan, amendments to the countywide General Plan would be required prior to approval of any area plan or specific plan to ensure consistency with the General Plan. Local governments may amend the General Plan up to four times a year; each amendment may include multiple changes.

- F-1-4 Questions whether the 1980 Oakhurst-Ahwahnee Growth Management Plan will be amended to conform to the new General Plan and whether any new Oakhurst Specific Plan would also need to conform to the General Plan.

The General Plan is a legal document that is essentially the county's "constitution" for land use and development. By virtue of state law and case law, all land use plans, zoning, subdivision approvals, and public works projects must be consistent with the General Plan. The Oakhurst-Ahwahnee Plan was amended with adoption of the General Plan, the amendments are included in Appendix A of the EIR beginning on page A-9 with explanations of why the amendments are needed. Any new plan for the Oakhurst area will be required to be consistent with the General Plan.

- F-1-5 Questions to what extent general land use policies of the Draft General Plan can be altered in future specific plans.

All future specific plans must be consistent with the General Plan. The General Plan can be amended up to four times a year.

- F-1-6 Questions what land use designations and policies would govern the Oakhurst area in the period after adoption of the General Plan and adoption of new specific plan for Oakhurst.

After adoption of the new General Plan, the General Plan and the 1980 Oakhurst-Ahwahnee Growth Management Plan (as amended in Appendix A of the EIR) will govern the Oakhurst area. Upon adoption of a new area plan for the Oakhurst area, the 1980 Oakhurst-Ahwahnee Plan would be superseded.

- F-1-7 Questions to what extent any land use changes occurred in the Oakhurst area, why the area covers a different area than the Oakhurst-Ahwahnee Growth Management Plan, and discusses difficulties in discerning the Draft Land Use Diagram because of the patterns used for the land use designations.

Land use designations in the Oakhurst-Ahwahnee are were virtually all replacements of existing land use designations; the only area where more intensive uses were designated is in areas that would have been agricultural islands within rural residential areas; these areas were designated as rural residential. This designation, however, does not preclude existing agricultural uses of the property. Local land use issues in the Oakhurst were intentionally deferred to be considered in an update of the area plan. The boundaries of the Oakhurst-Ahwahnee Area are the same as used in the current plan; the EIR uses some other boundaries for the purposes only of analyzing impacts; these have no policy status. County staff will be preparing more detailed maps to reflect the new General Plan that will be easier to discern and are available for any questions about the designations for any particular area or parcel.

- F-1-8 Questions the statement in the EIR that "many of the proposed changes to the Land Use Diagram bring the General Plan into existing or planned land uses" as to how "planned" land uses are defined.

Planned land uses include developments approved by the County and/or other agencies (e.g., existing approved subdivisions, school property owned by a school district, planned expansion of the Fairmead landfill, planned expansion of the Central California Women's Prison). Planned land uses also includes the State Center Community College area, but does not allow any development in this area until an area plan for this area is approved by the County.

- F-1-9 Questions Program 1.1 concerning updates of area plans, responsible parties, time frame, and funding.

This program calls for the updates of several area plans and preparation of some new plans to begin in 1996-97 and then continue on an ongoing basis. It is not expected that the County would undertake update of all these plans immediately; the County will need to establish a priority and schedule for updating the plans and identify when funding will be available for these plans. The list of entities to be responsible lists all those that might be involved. Community advisory committees have been used in the past in the development of area plans and the General Plan, and were therefore included in this program. The program does not specify how these would be created.

F-1-10 Questions how the Draft General Plan can determine how much development is possible if the amount and availability of water cannot be ascertained or guaranteed.

The General Plan cannot determine how much development is possible given uncertainties about water supply and quality. The projections used in the EIR assume no significant constraints on growth. The requirement that new development be conditioned on an adequate water supply applies to individual development projects. If water supply is not demonstrated by a specific proposed development project, the County will not allow its development. The EIR acknowledges that the County may not realize its projected growth because of insufficient water supplies.

F-1-11 The EIR indicates that water demand at buildout will be five times greater than in 1990. Questions how the General Plan resolves this inconsistency given uncertainty about water supply.

The EIR analyzes the potential impacts based on the land use designations of the plan. These designations are based largely on land uses that have been designated historically. Designation of land uses, however, does not guarantee their development. The policies of the plan will govern approval of development, including requirements that adequate public facilities and services can be provided. Information is provided in the EIR to assist the public, Planning Commission, and Board of Supervisors in making decisions regarding long-term growth as proposed in the General Plan.

F-1-12 Questions how the Draft General Plan can provide for levels of development when the cumulative impacts from on-site wastewater systems is unknown and identified as potentially significant. Questions how it was determined that additional mitigation could reduce the impact to a less-than-significant level if the additional mitigation identified, connecting to community wastewater systems in problem areas, is identified as probably not widely feasible.

Densities in the foothills and mountain areas are generally designated at low densities to allow for safe use of on-site wastewater disposal. Given the level of growth projected over the next 15 years, however, there is no information available to determine the cumulative effect this may have on water quality in these areas. Without a reasonable guarantee that water quality would not be affected, the EIR identified it as a potentially significant impact. While it is true that connecting development at the low densities designated in the foothills areas to community wastewater systems would be very costly, the extent and area of any future problems are unknown. If feasible, this would reduce the impacts on water quality. Technological advances over the next 15 years may also help in addressing this issue.

F-1-13 Questions why EIR recommends additional monitoring of area on SR 41 and Road 426 in the vicinity of Oakhurst when Service Level E is projected.

The EIR recommends continued monitoring and further study because the trip generation in this area as predicted by the Madera County traffic model was untypical of other areas of the county. Travel patterns are different because of the number of retirees and vacation homes, which tend to have lower trip generation rates. Given the long-term focus of the General Plan, the future trip generation may differ greatly. To start planning for improvements at this time given such uncertainty might lead to under or overimprovements to roadways in the area. Continued monitoring would allow the County to address the needed improvements when trip generation rates had stabilized with greater certainty.

F-1-14 Questions how plan's policies to preserve wildlife are compatible with the EIR's conclusions that substantial wildlife and wildlife habitat will be destroyed.

The cumulative impacts of development will result in the conversion of some habitats and the wildlife associated with that habitat. Policies of the plan seek to preserve the highest value and sensitive habitats and wildlife; however, human and wildlife will essentially be competing for the same habitat and much will be converted if projected growth occurs. Note that the cumulative development of the foothills and mountain areas is based on land uses designated by the Oakhurst-Ahwahnee Area Plan, Coarsegold Community Plan, and North Fork Area Plan.

F-1-15 Questions whether General Plan EIR, as a Program EIR, will result in easier approval of projects with significant impacts.

As a Program EIR, this EIR can be used to assist in the assessment of a project's relation to the cumulative impacts from development in the county. For instance, analysis of a single proposed development project might not indicate need for roadway improvements, but when considered in light of projected cumulative growth it might result in the need for additional roadway improvements. A Program EIR can also help focus future environmental assessment on those issues where impacts are most likely. It also provides a source for information on various topics in the county. This should help to ensure that important issues are not overlooked and that any individual project can be considered in the context of its role in countywide growth. Individual projects will not be excluded from environmental review, however, and they must comply with the policies and programs in the General Plan that provide for environmental protection and provision of adequate public facilities.

COMMENT LETTERS

GENERAL PLAN UPDATE ADVISORY COMMITTEE
MADERA COUNTY LIBRARY
BLANCH GALLOWAY ROOM
121 NORTH G STREET
MADERA, CALIFORNIA
August 17, 1994 MEETING

The meeting was called to order at 6:00 p.m. by Chairman John Reed.

ROLL CALL:

Susan Norby	Myra Bertrand
Ron Daggett	Gary Giersch
John Rigby	David Austin
Laurence Curtiss	Thomas Gee
John Reed	Sharen Thomas
Larry Van Amen	Tom Wheeler

BUSINESS

(This meeting was recorded.)

REQUEST FOR COMMENTS FROM THE AUDIENCE

Chairman Reed asked the audience if anyone had any general comments they would like to address to the Advisory Committee prior to conducting the meeting. No one in the audience addressed the Committee.

1. REVIEW OF THE DRAFT GENERAL PLAN

John Reed said that the Draft General Plan has been submitted to the public for review. So the Committee can not make a change in this document. The Committee can make a recommendation to the Planning Commission and the Board of Supervisors. The recommendation can be made in a number of ways; a Committee vote that could be submitted in writing or elect to have a member or members of the Committee appear in front of the Planning Commission and make the recommendation.

John Reed stated that he didn't remember ever adopting the Transportation and Circulation Element because they were waiting for the inclusion of the road names. Tom Wheeler and Sharen Thomas agreed. Leonard said that the minutes showed that it had been adopted. John said that the minutes showed that the background document had been adopted and the policy document had been adopted but everyone remembers it the same way. That one part was held off until information was submitted from the Transportation Department. As a matter of housekeeping it should be adopted. Leonard said that before you do that you should go through some of the General Plan.

The question was asked about community review, comment, and hearings. John Reed said

that the community plans will come after the General Plan. It's stated in the General Plan that until the new community plan is adopted, the provisions in the community plan that are consistent with this document will prevail.

A-1-2

Larry Van Amen said that he has a concern about the Land Use Diagrams. The state that the Land Use Diagrams must be consistent with the zoning. He refers to Table 1-1, on Page 115. Leonard Garoupa explained zoning would be considered consistent to the General Plan if the zoning could be converted to that use (i.e., residential is compatible with residential zoning; commercial is compatible with commercial).

A-1-3

Gary Giersch asked how many parcels are going to require zone changes to make them compatible, that have been down-zoned.

A-1-4

Leonard said that we don't have the number of parcels but there is a chart showing the number of acres designated for each General Plan Designation. Before the zoning will be changed, notification will be required. Every parcel will have to be checked for compatibility.

Leonard Garoupa said that the General Plan is now being circulated for comments and the comment deadline is September 12, 1994. The State has requested that the comment period be extended for a week or two more, so the Committee could take some extra time to submit comments. The Board and the Planning Commission are going to be holding a workshop on the Plan on September 13, from 5:00 p.m. to 9:00 p.m. The Consultant is going to be here to go over with the Board and the Planning Commission their questions about the Plan so they can get familiar with it. Dates for public hearings have not been set. You will be notified. In addition to written comments, comments will be taken at the public hearings. The workshop is open to the public. Tom Wheeler asked if the Committee made a recommendation, would it be considered at that meeting. Leonard said that they are just going to go over the Plan and consider comments. We have started receiving comments from land owners and agencies. If any mistakes or typos are found, let us know. It would be best to give a written list for mistakes, etc.

A-1-5

It was pointed out that in Chapter 6, Page 6-14 there are incorrect directions.

A-1-6

Table 9-4, Page 9-7, in the Draft Environmental Impact Report, Line 6, the population figures are incorrect.

A-1-7

Leonard said that we divided the County into traffic analysis zones, went through all the land use designations, and assigned project development to each of those; employees based on employment information which was obtained from the Economic Development; did projections; put in a number that made up the difference between those that had less than 10 employees; added a floating number for seasonal employees. We assigned it by traffic analysis zone and ran it through the traffic model and from that they projected the amount of traffic that we've generated. You can see that in the maps and charts in the back of the plan in Appendix B. From that, the air quality analysis was done. That's what's taken time. That also translated into the other section of the plan that includes school district enrollment

A-1-8

in year 2020. The grand total is 419,768 population at buildout. It's based on the 1990 census. The numbers are very close to the projections by the Department of Finance. Leonard explained the buildout by area.

Tom Wheeler said that the North Fork Indian Museum is not listed in the General Plan.] A-1-9

There was a general discussion of the population at buildout in the year 2010. New growth projection is 100,000.] A-1-10

Susan Norby asked why eliminating Rio Mesa was not considered a reasonable alternative to growth in the Environmental Impact Report. Leonard said that it was considered in the Alternative 2. But that it is a judgement call on how realistic it is to consider no growth in that area. She said that she has a problem. Some of the issues that the Committee agreed upon in terms of policy for the County seem to have been changed. Growth would be infill around population communities centered in Madera County. The Rio Mesa is a contradiction to that. Growth would be centered around communities in Madera County rather than becoming a suburb for Merced or Fresno.] A-1-11

Goal #5, stated that agriculture would remain the primary economic basis of Madera County. This has been watered down and no longer reflects the goals and policies adopted by the Committee.] A-1-12

Leonard said that the new growth areas were already designated and must be considered.]

Susan Norby said that the traffic model states that Service Level E or F are an acceptable level. We have better than that now. That's not going to be considered as an impact.] A-1-13

Leonard said that it is not an uncommon Service Level. It's not just based on the amount of traffic on the road. It's based on the alignment, curves, speed, etc. The General Plan recommends that Level C be maintained in all cases where practical.]

John Reed said that the Committee can make a motion to make a recommendation and vote on it as a Committee.]

Susan Norby said that she felt that the Environmental Impact Report was not up to standards.] A-1-14

John Reed said that Leonard had explained that the problem with the road list is that you can't include something that is a mandated part of the plan unless it is identified how it will be funded.]

Leonard explained that the overall road improvement plan and funding for these improvements is operated through the County Transportation Commission. The Transportation Authority is an appointed group that consist of members of the Board of Supervisors, City Council, and public members from each area. They are the ones who establishes the priority projects for the Transportation System and adopt a plan showing you where the roads are that will be improved with Measure A funds for example. We can only] A-1-15

show roads included in that plan. Leonard suggested that either in the plan or as a separate list, it needs to be taken to the Transportation Commission and said that the General Plan Advisory Committee is recommending the following roads be considered as additions to and that improvements be made or considered to the following roads.

On motion by Tom Gee, seconded by Larry Curtiss, and unanimously approved, it was ordered that the Committee forward the existing list of roads which are major arterials and direct to the Board of Supervisors and the Transportation Commission for their consideration in future planning. This list is as follows:

1. 100 foot high speed collector road linking Eastern Madera to Madera City, along the Fresno River Corridor
2. Corridor connecting Eastern side of the Sierras to the Western side of the Sierras with a route to Mammoth
3. Road 223 to Highway 41 (Thornberry Road) to a sixty(60) foot road
4. Road 229A (between 222 and 274) to a sixty(60) foot road
5. Highway 41 upgraded to four lanes from Oakhurst to Fresno and Madera City
6. High speed road connecting Madera City to the new Valley Children's Hospital site
7. Road 200 to Road 400
8. Road connecting Coarsegold to North Fork (Waterloo)
9. A bypass around the community of Oakhurst
10. A bypass around the community of North Fork
11. Douglas Station Road 7S09 from 225 to a sixty(60) foot road
12. John West Road to High School Road should have an alternative route to Highway 41
13. Fresno River Estates to Victoria Lane at Goldside
14. A second exit from Wells Road to Road 415 or Road 600
15. Alternative to Highway 49 from Ahwahnee by continuing Road 621
16. Straighten Cheepo Saddle Road

17. Create a corridor between Raymond and Chowchilla
18. Provide one or more crossing on the San Joaquin River
19. A bypass around Madera Ranchos
20. A bypass around the City of Madera at Highway 145
21. Upgrade Avenue 9 as an expressway
22. Continue Road 274 to the San Joaquin River on Auberry Road
23. Link the Indian Lakes Estates road system to Coarsegold and North Fork
24. Link Avenue 18 or 17 to Highway 145
25. Connect Road 35\36 to Road 400 as a corridor

A-1-16

Sharen Thomas said that she wanted it noted that the Committee was to be notified when the Transportation Element was complete, before the General Plan was finished.

A-1-16

Susan Norby said that on Page 710 and 711 the acreage of farmland stated to be converted from ag land in the next 20 years is unbelievable. Leonard explained that some of the land that will be developed is already designated for residential.

A-1-17

On motion by Susan Norby, seconded by Myra Bertrand, and unanimously approved, it was ordered to write a letter to the consultants suggesting the numbers for conversion of agricultural to other uses of land in the West/Agriculture, Chowchilla/Fairmead, Raymond/Central Area, and the North Fork/Millerton areas be checked for accuracy.

Susan Norby expressed her concern over Section 9.4 of the Environmental Impact Report concerning growth inducement impacts.

A-1-18

A motion was made by Susan Norby that the CEQA sections on Long Term Productivity, Irreversible Effects, and Growth Inducement Impacts be expanded. The motion dies for lack of a second.

On motion by Susan Norby, seconded by Myra Bertrand, and unanimously approved, it was ordered to recommend to the Consultant that the seven Committee members that attended less than nine meetings be eliminated from the General Plan Update Advisory Committee members listed in the General Plan. They are: John Brooks, Michele Roberts, Zalise Edwards, Vincent Mendez, William Kohfre, Thomas Efird, and John Jamison.

A-1-19

Sharen Thomas asked that the spelling of her name be corrected. It is listed as Sharon Thomas and should be Sharen Thomas.

Leonard reviewed the comment period and workshop dates and suggested that anyone that had comments or corrections send their comments to the Planning Department. The Consultants will address these comments in the final document. The revised draft General Plan will go to the Planning Commission and then to the Board of Supervisors for adoption.

A-1-2

2. **RIO MESA/TABLE MOUNTAIN PROJECT, VALLEY CHILDRENS HOSPITAL, THE HIGHWAY 41 PROJECT, AND THE STATE CENTER COMMUNITY COLLEGE**

Plan and the Environmental documents for Rio Mesa and Valley Childrens Hospital have been circulated for review. The comment period is closed. The Consultant is now prepare response to comments and recommending revisions to the plan. We will be scheduling that for hearing in the next month or two. Valley Childrens is just a little ahead of Rio Mesa. The final plan should be in our office in the next week or two.

A decision will be made in the process is whether they can or will wait until the General Plan is adopted.

There will be a public meeting on the Highway 41 Project at the Webster School next Thursday night on the Tier I document, the Route Concept. It talks about the proposed highway route between the existing Freeway in Fresno up to about Highway 145. Tier II environmental document is the Build Project.

The State Center Community College plan is underway. The bonds have been sold, and the money is in the bank. The College expects to have a presence on the site within the next few years.

Leonard said that after the Rio Mesa review at the Planning Commission, a committee of Commissioners was formed to review the comments and make recommendations including:

- 1) Better Jobs/Housing Balance.
- 2) Phase Development Plan.
- 3) Water Supply.

They expect significant changes.

Leonard expressed his thanks to the Committee for their conscientious job.

The meeting adjourned at 8:15 p.m.

LEONARD GAROUPA, Planning Director



August 17, 1994

Leonard Garoupa
Planning Director
Madera County Planning Department
135 West Yosemite Avenue
Madera, Ca. 93637

RE: DRAFT GENERAL PLAN AND ENVIRONMENTAL IMPACT REPORT

Dear Leonard:

Our Staff has completed a preliminary review of the Draft General Plan Update for the County, and have the following comments as it relates to the City's General Plan:

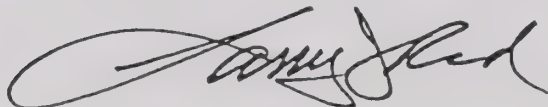
1. The land use designations along the west side of Country Club Drive (Road 26) do not appear to coincide with the City's Plan. The entire strip between the City limits and Avenue 17 seems to have a Profession Office pattern, while the City's designations are a mixture of Office, Medium Density Residential, and Neighborhood Commercial. A-2-1
2. In regard to the Agricultural assigned to some of the fringe areas in the northeast, southeast and west portions of the Planning Area, we assume this is intended to be a form of holding designation. This would be similar to the City's "Reserve" designation assigned with the Very Low and Low Density Residential for some these same areas. However, it does not appear that the General Plan text contains any policy statements to that effect. If this is not the intent of the Plan, we would recommend consideration of designations to match the City's Plan. A-2-2
3. The properties on the north side of Avenue 17 at Airport Drive appear to be designated Industrial, whereas the City's Plan indicates Highway Commercial for this area. Two of the parcels in this area have been approved for annexation and prezoned for commercial development. A-2-3

4. There are a number of smaller areas immediately adjacent to the City where the land use designation can not be determined from the General Plan maps. An example of this situation is the unincorporated area north of the Community Hospital. This may not be critical from an urban development perspective, based on the City / County Tax Sharing Agreement and project referral policies. However, it might be useful to develop a larger scale map similar to those for some of the other planning areas for the suburban area of Madera.
5. In regard to the Circulation Plan diagram, the following streets do not appear to have been classified with the same designation adopted by the City:

Almond Avenue (Avenue 13 1/2) - Collector
Gary Lane (Avenue 13 1/4) - Collector
Stadium Road (Road 26 1/2) - Collector
South Pine Street (Road 26) - Arterial
Avenue 12 1/2 - Collector
North "D" Street (Road 26 1/2) - Collector
Owens Street (Road 26 1/4) - Collector
Adell Street (Avenue 16) - Collector
Westberry Boulevard (Road 24 1/2) - Arterial
6. As with the General Plan map, consideration should be given to enlarging the Circulation Plan diagram. As an alternative, a listing of the various streets and their classifications might be included.

If you have any questions or comments, please don't hesitate to contact me at 661-5430.

Very truly yours,



LARRY J. RED, Director
Community Development

LCOGPEIR
TXTPLMIS



CITY OF CLOVIS

CITY HALL • 1033 FIFTH STREET • CLOVIS, CA 93612

September 9, 1994

Mr. Leonard Garoupa, Planning Director
Planning Department, County of Madera
135 W. Yosemite Avenue
Madera, CA 93637

Dear Mr. Garoupa:

Subject: Draft EIR for the Madera County General Plan

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report for the Madera County General Plan project. The City of Clovis has the following comments.

The 1993 Clovis General Plan, adopted in April 1993, envisioned the addition of two expressways, inner and outer beltways, which address important regional transportation needs of the Clovis and Fresno metropolitan areas. The outer beltway, which runs generally along Copper and Academy Avenues, and inner beltway, which follows generally the Shepherd-McCall Avenue alignments, are projected to play an important role in local and regional travel in the future. Both corridors represent long-range commitments to the development of adequate regional and inner-community regional facilities.

An important function of the outer beltway alignment is to provide the northeast metropolitan area, i.e., Clovis and points northeast, with a major unobstructed transportation corridor to Madera County and Highway 99. The outer beltway runs to the proposed sphere of influence boundary at Willow Avenue in the north. This provides an opportunity for continuing this east-west expressway concept west of Willow Avenue to Friant Road and ultimately intersecting with Highway 41. Consequently, this expressway will ultimately intersect at the Avenue 9/10 interchange in Madera County and is thus part of the project currently under review in the DEIR document. Although the Draft Background Report discusses the Clovis beltways, the DEIR's discussion of traffic and circulation impacts does not appear to include an analysis of the Copper Avenue beltway/Avenue 9/10 expressway/freeway concept. In conclusion, the DEIR for this project should have considered this regional transportation concept and provided an analysis of the planned contribution and potential impact of this significant transportation corridor.

A-3-1

Thank you for the opportunity to comment on this project. Should you have any questions, please contact me at 297-2347.

Very truly yours,

Mike Waiczis

Mike Waiczis, AICP
Associate Planner

CITY OF CLOVIS • (509) 297-2320 • Community Services Dept. 297-2430 • Finance Dept. 297-2307 • Fire Dept. 297-2460
• Personnel Dept. 297-2323 • Planning Dept. 297-2340 • Police Dept. 297-2400 • Public Works Dept. 297-2353 • Fax 297-2587

TOTAL P.01

September 12, 1994

Mr. Leonard Garoupa
Planning Director
Madera County Planning Department
135 West Yosemite Avenue
Madera, CA 93637

Dear Mr. Garoupa:

SUBJECT: Madera County Draft General Plan Update and Environmental Impact Report

The above referenced Draft General Plan Update and Draft Environmental Impact Report (DEIR) was circulated for review within the Fresno County Public Works & Development Services Department. The Department Staff offer the following comments:

I. Page 3-10, 6th full paragraph

The additional river crossing envisioned in the Clovis "beltway" proposal was not evaluated because "traffic modelling did not indicate that this roadway would assist in addressing traffic from existing and proposed development in Madera County." This contradicts figure 4-5, which shows a 2010 Level of Service of "E" for segments of Avenue 12 east of Road 36, and State Route 41 between State Route 145 and Avenue 12. State Route 99 is shown with a Level of Service of "F" for the same period. All of these routes could potentially benefit from one or more new river crossings. In addition, elsewhere in DEIR it is pointed out that the trend of commuters living in Madera County but working in Fresno County is likely to continue.

(Note: the compass directions describing the proposed Clovis beltway route segments are reversed: "east" should be changed to west; "north" should be changed to south. Similar errors occur in the Draft General Plan Background Report on pages 1-26 and 1-30.)

Although specific traffic impacts of the proposed Gunner Ranch and Rio Mesa projects are being dealt with in the EIRs prepared for those projects, an overview of those impacts should be included in this EIR to reflect their New Growth Area designations on the proposed General Plan update. Traffic generated by those projects alone would appear to warrant a discussion of the potential need for additional river crossings.

MADERA COUNTY GENERAL PLAN

September 12, 1994

Page

2. Page 3-21, 4th paragraph

It is stated that the Fresno County General Plan supports increasing urbanization north along the Highway 41 corridor. Although the Fresno County General Plan shows urban development up to, but not including the San Joaquin River Bottom, it should not be inferred that the Plan supports continuation of this pattern north of the River. The county Plan strongly supports the principle that urban development should be located within cities and existing unincorporated communities where the full range of urban services can be provided.

A-4-4

We are also in full support of the comments made by Marc S. Birnbaum of the California Department of Transportation in his letter to you dated August 12, 1994 (attached).

A-4-5

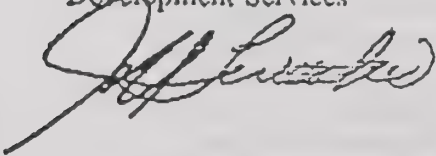
Although the DEIR mentions the trend of a commuter population that lives in Madera County but works in Fresno County, there is no discussion of the impact this population will have on the services provided by Fresno City and County. These impacts should be fully discussed.

A-4-6

Thank you for the opportunity to comment on this project. Please feel free to call me at (209) 453-5010 if you have any questions regarding these comments.

Very truly yours,

Kerry L. McCants, Manager
Development Services



Jeff Tweedie, Senior Staff Analyst
Planning and Environmental Analysis Section

JT:TA:mt
maderaltr

Enclosure

c: Marc S. Birnbaum, Chief
Advance Planning & Programming (Caltrans)
Barbara Goodwin, Executive Director
Council of Fresno County Governments

DEPARTMENT OF TRANSPORTATION

1352 West Olive Avenue
Post Office Box 12616
Fresno, California 93778

(209) 488-4088
TDD (209) 488-4066
FAX (209) 488-4101



8/19
(F)

August 12, 1994

2134-IGR/CEQA
6-MAD-GENERAL
SCH # 93102017
MADERA COUNTY
GENERAL PLAN UPDATE

AUG 15 1994

Mr. Leonard Garoupa
Madera County
Planning Department
135 West Yosemite Avenue
Madera, CA 93637

Dear Mr. Garoupa :

We have had the opportunity to review the Madera County General Plan Update (June 1994). We reviewed each submitted document, but have used the Draft EIR as the primary source upon which to base our assessments and concerns. Caltrans comments are as follows :

Page 4-5, Madera County Traffic Model : It is crucial to note that a Full Buildout model is the only way to accurately link land use to transportation (2010 does not represent cumulative impacts and is therefore inappropriate for this planning application). All existing and possible river crossings need to be included in the model as well. We are reiterating the Caltrans/ CEQA requirement for a Full Buildout model and the necessity for including it in the General Plan.

B-1-1

Page 4-5, Level-of-Service Policies : As stated in the General Plan Update, this policy severely limits the flexibility of the County to exact LOS standards above D. We believe that an acceptable policy goal should be C, when fiscally feasible. When a particular area does not lend itself to LOS C (either traffic characteristics or financial constraints), D would then be acceptable.

B-1-2

Page 4-10 & 4-11, SR 99 between Ave. 17 and the San Joaquin River : The last sentence of this section states that 'it is anticipated that an amendment to the General Plan will be proposed incorporating the study results and recommendations'. This does not adequately address court determinations which state that future studies are not to be considered in lieu of mitigations.

B-1-3

Page 4-12, Mitigation Measures : Cumulative impacts need to be directly addressed in the Study. There should be a very strong commitment to identify necessary mitigations and also to identify financing mechanisms. Financing mechanisms should be identified as part of the Plan; not as part of a future study.

B-1-4

Overall, this document does not include enough data for a detailed traffic review. Since the actual calculations are performed prior to publication of final results, the inclusion of raw data, model runs and LOS calculation worksheets in the General Plan (or Appendices) is a basic requirement for a thorough review of a plan of this scale.

B-1-5

As mentioned in our correspondence of March 21, 1994 (please see attached), the General Plan should establish a descriptive correlation between land use and transportation. We strongly urge you to incorporate these concepts into future submittals.

In summary of the above concerns, it is important that Policy directs future studies to be developed from the standpoint of land use/ transportation. Peak hour analysis and Full Buildout should be incorporated in these studies. Our greatest concern is that all parties involved (including your decision makers and the public) have the most accurate and relevant information possible, in order to make informed choices. We look forward to receiving future General Plan submittals which incorporate the components mentioned in this letter, as well as those contained in the Caltrans publication, A Guide for Traffic Impact Studies.

If you have questions about this letter or concerns regarding compliances, please call Andrew Kubik at (209) 488-4175.

Sincerely,



for MARC S. BIRNBAUM, Chief
Advance Planning & Programming

Enclosure



(209) 488-4088
TDD (209) 488-4066
FAX (209) 488-4221

March 21, 1994

2134-IGR/CEQA
6-MAD-GENERAL
SCH # 93102017
MADERA COUNTY
GENERAL PLAN UPDATE

Leonard Garoupa
Madera County
Planning Department
135 West Yosemite Avenue
Madera, CA 93637

Attention: Leonard Garoupa

Thank you for the opportunity to review the Madera County Advisory Committee Review Draft General Plan Update Background Report and Policy Document. Caltrans has the following comments:

(Background Report, Figure 3-2) In the event Avenue 9 is ever to be considered as an alternative to State Route (SR) 145, it will require a minimum right-of-way of 170 feet for a four lane expressway (existing SR 145 is on the Freeway/Expressway System). If SR 145 were taken off the Freeway/Expressway System a minimum of 110 feet should be protected for a four lane divided highway.

(Policy Document, Note, Page 11) We look forward to reviewing the general plan's traffic analysis for a verifiable balance between the planned land use and circulation system.

(Policy Document, 1.3, Page 14) We support policy which requires new development (specifically Gunner West/Valley Children's Hospital Area, Rio Mesa Area, and State Center Community College Area) to provide for adequate infrastructure and address the environmental impacts of their developments.

(Policy Document, 2.A.2, Page 21) A monitoring program is needed to identify the location of signalization projects, timing/level of development that triggers necessary improvements.

(Policy Document, 2.A.8, Page 21) It is Caltrans policy to make the effort to maintain a Level-of-Service standard "C" on State facilities. Caltrans recommends Madera County adopt "A Guide for Traffic Impact Studies", to establish consistency in the LOS standard and the review of proposed development.

(Policy Document, Policy 2.A.8, Page 21) We support the requirement of the preparation of a traffic impact analysis and look forward to our continued coordination and the opportunity to review and comment on individual projects.

(Policy Document, Policies 1.9, Page 20 and 2.A.10, Page 22) The County should coordinate land use, infrastructure, public facility planning, consistent service levels and funding mechanisms with its adjacent jurisdictions. However, you should not delay implementing your own county-wide phasing and funding mechanisms. Remember, a viable financing mechanism is necessary to achieve the legally mandated correlation between the land use and circulation elements (California Government Code, Section 65302b).

(Policy Document, Policy 2.A.16, Page 23) We support the assessment of new development to cover their fair share to mitigate their impacts on the local and regional (including the State highway) system.

(Policy Document, Implementation Programs, 2.2, 2.3 and 2.8, Pages 23-24) We strongly support the proposed implementation programs that create a county Capital Improvement Program (CIP) that includes improvements designed to achieve the adopted level-of-service and fit to the fiscal capability of the County, that create a Traffic Fee Allocation Process Ordinance implementing traffic mitigation fees for the CIP, and that promote regional coordination (but not delay) of county-wide phasing and funding mechanisms.

(Policy Document, Transit, Passenger Rail, Transportation Control Measures, Non-Motorized Transportation, Goods Movement, and Air Transportation, Pages 25-31) We encourage your efforts to achieve a well planned multi-modal system.

(Policy Document, Policy 2.B.20 and 2.B.22, Page 25) Madera County need to be more definitive in the intents to develop transit services and facilities.

(Policy Document, Policy 2.B.29, Page 26) The Amtrak Station should be relocated to the intermodal station in the City of Madera which is the urban core of the county.

(Policy Document, Goal 2.C:, Page 27) Caltrans recommends the San Joaquin Valley Transportation Control Measures Program concepts be adopted and

incorporated into the general plan update document.

(Policy Document, Policy 2.C.1, 2.C.2, 2.C.3, 2.17, Page 27-28) More definitive measures, than promotion and encouragement, should be adopted to maximize the efficient use of transportation facilities.

(Policy Document, Policy 2.D.3, Page 28) Local and regional facilities need to be coordinated.

The general plan should establish a correlation between the land use and transportation elements. Land use design concepts that encourage the use of alternative modes of travel (transit, bicycles, pedestrian, etc.) and discourages single-occupancy-vehicle ridership should be an inherent part of the plan. Some of the design concept elements are the following;

Village land use design concepts include mixed land uses and densities, diversity of housing types and major activity centers which provide common everyday activities/services within easy walking distance to each other, especially on-site child care for large employers.

Design criteria that encourages transit use are office buildings close to the street, parking behind buildings, minimizing distance between housing and transit routes, minimizing block lengths, use of sidewalks, bus stops and shelters.

A grid street system is necessary to encourage internal travel patterns and to help avoid the use of the regional circulation system.

Please call Marta Frausto at (209) 488-4168 should you have any questions.

Sincerely,

MARC S. BIRNBAUM, Chief
Advance Planning & Programming

A handwritten signature in black ink, appearing to read 'Marta Frausto', written in a cursive style.

Marta Frausto
Intergovernmental Review

Memorandum

To: Project Coordinator
Resources Agency

Date: August 19, 1994

Mr. Leonard Garoupa
Planning Department
County of Madera
135 West Yosemite Avenue
Madera, CA 93637

From: Department of Conservation
Office of Governmental and Environmental Relations

Subject: Geology and Seismology Review of the Safety Element within the June 1994 draft
General Plan for the County of Madera – SCH# 93102017

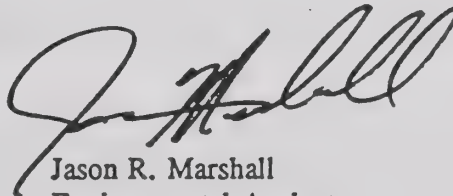
The California Department of Conservation, Division of Mines and Geology, has reviewed the June 1994 draft of the General Plan for the County of Madera. The draft consists of three volumes prepared by the Sacramento planning firm Mintier and Associates. Our review focused on the second volume entitled "Background Report," Chapter 7, Safety Element, and specifically Section 7.2, "Seismic and Geologic Hazards" on pages 7-1 through 7-8.

The draft General Plan has been well researched. We are in general concurrence with most of the material presented in the draft. Based on our review of the draft General Plan, we offer the following comments for the Safety Element:

1. We recommend that Table 7-2 be deleted because it serves no purpose in the Safety Element and the concept is no longer generally valid. There are no known active faults in Madera County, so we cannot postulate an earthquake within county boundaries and thereby "correlate" magnitude scale and intensity scale. This table was published in 1977, and its intended use was (then) for Bay Area counties and certain soft sediments that occur within the Bay Area. Beginning with Coalinga earthquake in 1983, our knowledge of magnitude and intensity relationships has significantly changed. Neither the USGS or DMG currently use this kind of correlation table. For strong ground motion, we prefer to focus on quantitative aspects, rather than descriptive aspects. B-2-1
2. We have included two page-sized illustrations for seismic zonation of Madera County, extracted from a 1991 FEMA report. The maps utilize probabilistic seismic hazard mapping techniques and consider the effects of earthquakes west of the county (along the San Andreas fault), and earthquakes east of the county (in the Mammoth - Long Valley Caldera area). The maps indicate that populated areas (San Joaquin Valley portion) of Madera County could be subject to seismic shaking of:
 - a maximum 0.3 second spectral response acceleration of $\approx 0.4g$, with a 90 percent probability of non-exceedance in 250 years.
 - a maximum 1.0 second spectral response acceleration of $\approx 0.15g$ to $20g$, with a 90 percent probability of non-exceedance in 250 years. B-2-2

3. No active faults have been recognized in Madera County, as determined by the State Geologist under the Alquist-Priolo Earthquake Fault Zoning Act (Hart, 1994). We recommend that DMG Special Publication 42 be cited in the text as the definitive source of this statement, since it is often important in real estate transactions and for earthquake insurance purposes. B-2.3
4. A new bibliography of geologic reports has been prepared for use in the Safety Element. The Safety Element of the General Plan can serve as a scientific reference document for persons who prepare Environmental Impact Reports. B-2.4

The Department of Conservation appreciates the opportunity to comment on the County of Madera's draft of the new General Plan. If you have any questions regarding these comments, please contact me (916-445-8733) or Robert H. Sydnor, Senior Engineering Geologist (916-322-2562).


Jason R. Marshall
Environmental Analyst

Attachments: Geology Bibliography
Seismic Zonation Maps of Madera County

cc: R.H. Sydnor

Selected Geologic Bibliography for the General Plan of the County of Madera

Prepared in August 1994 by the California Department of Conservation
Division of Mines and Geology

The selected geologic bibliography is divided into five sections:

- (1) Earthquakes and Seismic Safety.
- (2) Quaternary Geology - Flatland deposits within the San Joaquin Valley.
- (3) Bedrock Geology - Sierra Nevada Province.
- (4) Mineral Resources.
- (5) Hydrogeology.

Earthquakes and Seismic Safety

- CDMG, 1986, Guidelines for preparing engineering geologic reports: California Division of Mines and Geology, CDMG Note 44, two-page checklist. *(A useful basic checklist prepared by the State Geologist for general use and applicable to Madera County.)*
- CDMG, 1982, Guidelines for geologic/seismic considerations in environmental impact reports: California Division of Mines and Geology, CDMG Note 46, two-page checklist. *(Prepared by the State Geologist for authors of EIRs.)*
- FEMA, 1991, NEHRP recommended provisions for the development of seismic regulations for new buildings: Federal Emergency Management Agency, Reports 222 and 223, two volumes prepared for FEMA by the Building Seismic Safety Council, 119 p. and 237 p. *(Map sheets 6, 8, 10, and 12 apply to Madera. Prepared by seismologists of the U.S. Geological Survey as a nation-wide effort in seismic microzonation utilizing latest methods in probabilistic seismic hazard mapping.)*
- Hart, E.W., 1994, Fault-rupture hazard zones in California: California Division of Mines and Geology, Special Publication 42, 1992 revised edition, 34 p. *(This is the official publication to cite when an author of an Environmental Impact Report wants to state reliably that there are no active faults and no Alquist-Priolo Earthquake Fault Zones in Madera County.)*
- Hill, D.P., Eaton, J.P., Ellsworth, W.L., Cockerham, R.S., Lester, F.W., and Corbett, E.J., 1991, The seismotectonic fabric of central California, in Slemmons, D.B., Engdahl, E.R., Zoback, M.D., and Blackwell, D.D., editors, Neotectonics of North America: Geological Society of America, Decade Map Volume 1, p. 107-132.
- ICBO, 1994, Uniform Building Code: Whittier, California, International Conference of Building Officials, 3 volumes. *(Chapters 16, 18 and A-33 apply in regards to seismic design, foundations, and grading.)*
- Idriss, I.M., 1990, Response of soft soil sites during earthquakes, in Duncan, J.M., editor, Proceedings of the H. Bolton Seed Memorial Symposium: BiTech Publishers Ltd., v. 2, p. 273-289.
- Jennings, C.W., 1994, Fault activity map of California and adjacent areas: California Division of Mines and Geology, Geologic Data Map 6, scale 1:750,000. *(Will be published in autumn 1994; faults are color-coded by recency of movement.)*
- Joyner, W.B., and Boore, D.M., 1988, Measurement, characterization, and prediction of strong ground motion, in VonThun, J.L., editor, Earthquake engineering and soil dynamics II: American Society of Civil Engineers, Geotechnical Special Publication 20, p. 43-102. *(This reference is typically used by engineers, seismologists, and geologists for evaluation of strong motion.)*
- Petersen, Mark D., and Wesnousky, S.D., 1994, Fault slip rates and earthquake histories for active faults in southern California: Seismological Society of America Bulletin, v. 84, no. 5, October 1994.
- Reiter, Leon, 1990, Earthquake hazard analysis: Columbia University Press, 254 p. *(A comprehensive text which explains probabilistic seismic hazard analysis and applications of strong-motion seismology.)*
- Rymer, Michael J., and Ellsworth, William L., editors, 1990, The Coalinga, California, Earthquake of May 2, 1983: U.S. Geological Survey Professional Paper 1487, 417 pages, 23 chapters by 62 geologists and seismologists. *(The definitive publication about the 1983 Coalinga earthquake, which is the prototype of a blind-thrust earthquake along the western margin of the San Joaquin Valley. These kinds of blind-thrust faults are of particular concern because they are believed to be the source of regional seismic shaking which would affect Madera County.)*
- Stein, R.S., and Ekstrom, G., 1992, Seismicity and geometry of a 110-km-long blind thrust fault; part 2, Synthesis of the 1982-1985 California earthquake sequence: Journal of Geophysical Research, v. 97, part B, no. 4, p. 4865-4883.
- Stein, Ross S., and Yeats, Robert S., 1989, Hidden earthquakes: Scientific American, v. 260, no. 6, p. 48-57. *(Explains the concepts of blind-thrust faults and Coalinga-type earthquakes which might affect western Madera County.)*
- Stover, C.W., and Coffman, J.L., 1993, Seismicity of the United States, 1568-1989 (revised): U.S. Geological Survey Professional Paper 1527, 418 p. *(An up-to-date catalog listing all significant American earthquakes.)*
- Topozada, T.R., Real, C.R., and Parke, D.L., 1981, Preparation of isoseismal maps and summaries of reported effects for pre-1900 California earthquakes: California Division of Mines and Geology, Open-File Report 81-11, 182 p. *(Contains maps of the felt areas of older historic earthquakes.)*
- Topozada, T.R., and Parke, D.L., 1982, Areas damaged by California earthquakes, 1900-1949: California Division of Mines and Geology, Open-File Report 82-11, 65 p.

- Wallace, Robert E., editor, 1990, The San Andreas fault system, California: U.S. Geological Survey Professional Paper 1515, 283 pages, 10 chapters. (*Explains the nature of the San Andreas fault in the Parkfield area which is relevant to western Madera County.*)
- Wessouly, S.G., 1986, Earthquakes, Quaternary faults, and seismic hazard in California: *Journal of Geophysical Research*, v. 91, no. B-12, pages 12,587-12,631. (*A comprehensive catalog and discussion of earthquakes and active faulting throughout California.*)
- Seismic Safety booklets useful for property owners.
- SSC, 1992, The homeowner's guide to earthquake safety: Seismic Safety Commission, State of California, 28 p. booklet. (*Available for purchase at \$2.25 from SSC at 1900 K Street, Suite 100, Sacramento, CA 95814-4186 or telephone 916-323-4213.*)
- SSC, 1992, The commercial property owners' guide to earthquake safety: Seismic Safety Commission, State of California, 32 p. booklet. (*Available for purchase at \$3.25 from SSC at 1900 K Street, Suite 100, Sacramento, CA 95814-4186 or telephone 916-323-4213.*)
- Yanev, Peter I., 1991, Peace of mind in earthquake country: San Francisco, Chronicle Books, 218 p., \$14.95. (*Contains practical advice and diagrams from a structural engineer about retrofitting or bracing homes to resist seismic shaking.*)
- Quaternary Geology of Madera County
- Flatland alluvial deposits of the San Joaquin Valley occur in the western third of Madera County.
- Bartow, J.A., 1983, Map showing configuration of the basement surface, northern San Joaquin Valley, California: U.S. Geological Survey Miscellaneous Field Studies Map MF-1430, scale 1:250,000.
- Bartow, J.A., 1985, Map showing Tertiary stratigraphy and structure of the northern San Joaquin Valley, California: U.S. Geological Survey Miscellaneous Field Studies Map MF-1761, scale 1:250,000.
- Bartow, J.A., 1991, The Cenozoic evolution of the San Joaquin Valley, California: U.S. Geological Survey Professional Paper 1501, 40 p.
- Helley, E.J., 1978, Alluvial fan of the Chowchilla River and adjacent foothills area, Mariposa, Merced, and Madera counties, California: U.S. Geological Survey Miscellaneous Field Studies Map MF-927, scale 1:62,500.
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- Marchand, D.E., 1976, Preliminary geologic maps showing Quaternary deposits of the Madera area (Poso Farm, Firebaugh NE, Bonita Ranch, Madera, Gregg, Lanes Bridge, Friant, and Academy 7½-minute quadrangles), eastern San Joaquin Valley, Madera and Fresno counties, California: U.S. Geological Survey Open-File Report 76-841, 8 map sheets at scale 1:24,000.
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- Palmer, C.M., and Merrill, Robert D., 1982, Braided-stream and alluvial-fan depositional environments in the lower to middle Eocene Ione Formation, Madera County, California, in Ingersoll, R.V., and Woodburne, M.O., editors, Cenozoic non-marine deposits of California and Arizona: Society of Economic Paleontologists and Mineralogists, p. 1-10, 29 references.
- USGS, 1976, Land use and land cover and associated maps for San Jose, California: U.S. Geological Survey Open-File Report 76-639, scale 1:250,000. (*Covers the western-most portion of Madera County.*)
- USGS, 1978, Land use and land cover and associated maps for Mendota, California: U.S. Geological Survey Open-File Report 78-43, scale 1:250,000.
- USGS, 1980, Land use and land cover and associated maps for Mariposa, California: U.S. Geological Survey Open-File Report 80-628, scale 1:250,000.
- Bedrock Geology of Madera County
- Metamorphic and plutonic rocks of the Sierra Nevada geomorphic province occupy the eastern two-thirds of Madera County.
- Ahmed, E.E.A., 1965, Gravity survey in Madera County, California: University of California, Los Angeles, master's thesis, 63 p.
- Bateman, Paul C., 1992, Plutonism in the central part of the Sierra Nevada Batholith, California: U.S. Geological Survey Professional Paper 1483, 186 p. Includes colored geologic map of 1×2 degree Mariposa Quadrangle at scale 1:250,000, which is also available for purchase separately as USGS Map I-1960. (*A significant and current geologic publication covering the eastern two-thirds of Madera County, with emphasis on the granitic rocks of the Sierra Nevada. This is the premier geologic reference.*)
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- Huber, N.K., Bateman, P.C., and Wahrhaftig, Clyde, 1989, Geologic map of Yosemite National Park and vicinity, California: U.S. Geological Survey, Miscellaneous Investigations Map I-1874, map scale 1:125,000.
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- Linck, Wendy J., Carlson, Diane H., and Brady, Roland, 1991, Preliminary structural analysis of the Rabbit Hill roof pendant, Madera County, California: Geological Society of America, Cordilleran Section, 87th annual meeting, Abstracts with Programs, v. 23, no. 2, p. 73.
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Mineral Resources of Madera County

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- Huber, N.K., and Thurber, H.K., 1984, Minarets Wilderness and adjacent areas, California, in Marsh, S.P., Kropf, S.J., and Dickinson, R.G., editors, *Wilderness mineral potential; assessment of mineral-resource potential in U.S. Forest Service lands studied 1964-1984*: U.S. Geological Survey Professional Paper 1300, p. 291-292.
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- Romero, Paul E., 1990, Ground water trends in the San Joaquin Valley: California Department of Water Resources, San Joaquin District Report, 31 p.
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Hydrogeology of Madera County

- Bertoldi, G.L., Johnston, R.H., and Evenson, K.D., 1991, Ground water in the Central Valley, California; a summary report: U.S. Geological Survey Professional Paper 1401-A, p. A1-A44. (A current summary for the entire Central Valley with abundant references to the literature.)
- Cehrs, David, 1991, Anomalous concentrations of silica in ground water of the eastern San Joaquin Valley, California: University of Arizona, Ph.D. dissertation, 302 p. (Dr. David Cehrs is a California Registered Geologist practicing in Sanger, California.)
- Clifton, D.G., and Gilliom, R.J., 1989, Sources and concentrations of selenium in the San Joaquin River: U.S. Geological Survey, Water Resources Investigations Report #WRI 88-4186, p. 99-113.
- Clifton, Daphne G., and Gilliom, Robert J., 1989, Trace elements in bed sediments of the San Joaquin River and its tributary streams, California, 1985: U.S. Geological Survey, Water Resources Investigations, Report WRI 88-4169, 33 p.
- Dale, R.H., French, J.J., and Wilson, H.D., Jr., 1964, The story of ground water in the San Joaquin Valley, California: U.S. Geological Survey Circular 459, 11 p.
- Davis, G.H., Lofgren, B.E., and Mack, S., 1964, Use of ground-water reservoirs for storage of surface water in the San Joaquin Valley, California: U.S. Geological Survey Water Supply Paper 1618, 125 p.
- Domagalski, J.L., and Dubrovsky, N.M., 1992, Pesticide residues in ground water of the San Joaquin Valley, California: Journal of Hydrology, v. 130, no. 1-4, p. 299-338, 49 references.
- Gilliom, R.J., Belitz, K.R., Deverel, S.J., Dubrovsky, N.M., Fujii, R., Heimes, F.J., Fio, J.L., Clifton, D.G., 1989, Preliminary assessment of sources, distribution, and mobility of selenium in the San Joaquin Valley, California: U.S. Geological Survey Water Resources Investigations Report WRI-88-4186, 129 p.
- Mack, Seymour, and Ferrell, L.M., 1979, Saline water in the foothill suture zone, Sierra Nevada Range, California: Geological Society of America Bulletin, v. 90, no. 7, p. 666-675, 25 references.

Note to the Reader:

This selected geology bibliography for Madera County was prepared August 9, 1994 by Robert H. Sydnor, senior engineering geologist with the California Division of Mines and Geology, 801 K Street, Mail Stop 12-32, Sacramento, CA 95814-3531.

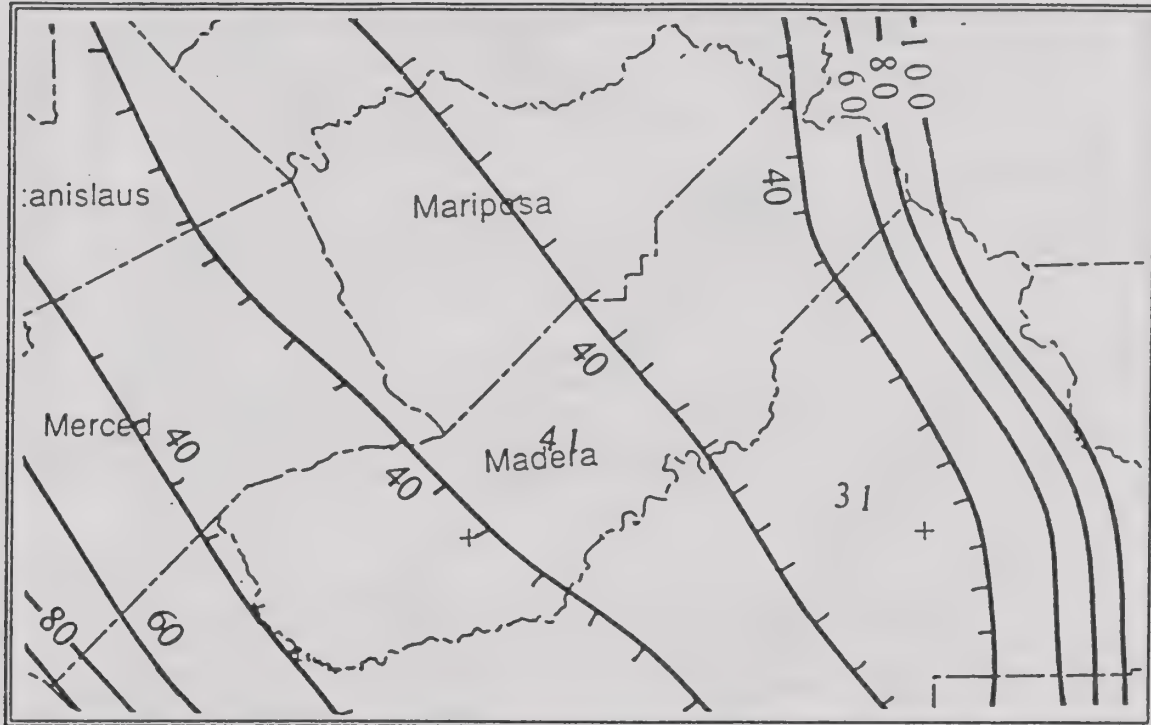
This selected bibliography is intended for general reference use by those preparing environmental impact reports for new projects in Madera County. Many older and superseded geological references were omitted for brevity.

New geologic maps and reports prepared by the U.S. Geological Survey, the California Division of Mines and Geology, and academia are periodically published; readers should update this Madera County bibliography using "GeoRef" bibliographic search methods, available on compact-diskettes (CD-ROM) from the American Geological Institute. The nearest large university library available to Madera County citizens is California State University, Fresno. Most of the publications dated prior to 1970's are now out-of-print, but still contain significant geologic information. The single best publication covering all of the Sierra Nevada province of Madera County is Bateman (1992), USGS Professional Paper 1483. The best publication covering the San Joaquin Valley province is Bartow (1991), USGS Professional Paper 1501. Both are in-print as of August 1994.

Seismic Zonation Map for the County of Madera

FEMA Map 10:

Maximum 0.3 second spectral response acceleration (in percent gravity), with a 90 percent probability of non-exceedance in 250 years.



Scale 1:1,500,000

1 inch $\approx$ 23.7 miles

1 cm = 15 km

Extract from: Building Seismic Safety Council, 1991, NEHRP recommended provisions for the development of seismic regulations for new buildings: Federal Emergency Management Agency, FEMA Report 222.

MAP 10

Preliminary map of the maximum 0.3 second spectral response acceleration^{1,2}, $S_A(0.3)$, with a 90 percent probability of nonexceedance in 250 years. The map values include estimates of variability in the attenuation of spectral acceleration and in fault rupture length.

These maps are presented to introduce new and relevant data for estimating spectral response acceleration. They should not be used for design at this time but should be evaluated by trial design. Review and comments on these maps are invited. Direct comments to the BSSC, 1201 L St., N.W., Suite 400, Washington, D.C. 20005.

The estimation of low values of probability of ground motion (250-year exposure time) may give unrealistic values of spectral acceleration because of uncertainty in attenuation of spectral values and in fault rupture length. The uncertainty is increased in the central and eastern United States because of the difficulty of defining earthquake source zones and the infrequency of earthquake occurrence. Thus, any values on this map should be considered advisory and treated with caution.

Prepared by the U.S. Geological Survey for the 1991 Edition of the *NEHRP Recommended Provisions for the Development of Seismic Regulations for new Buildings*.

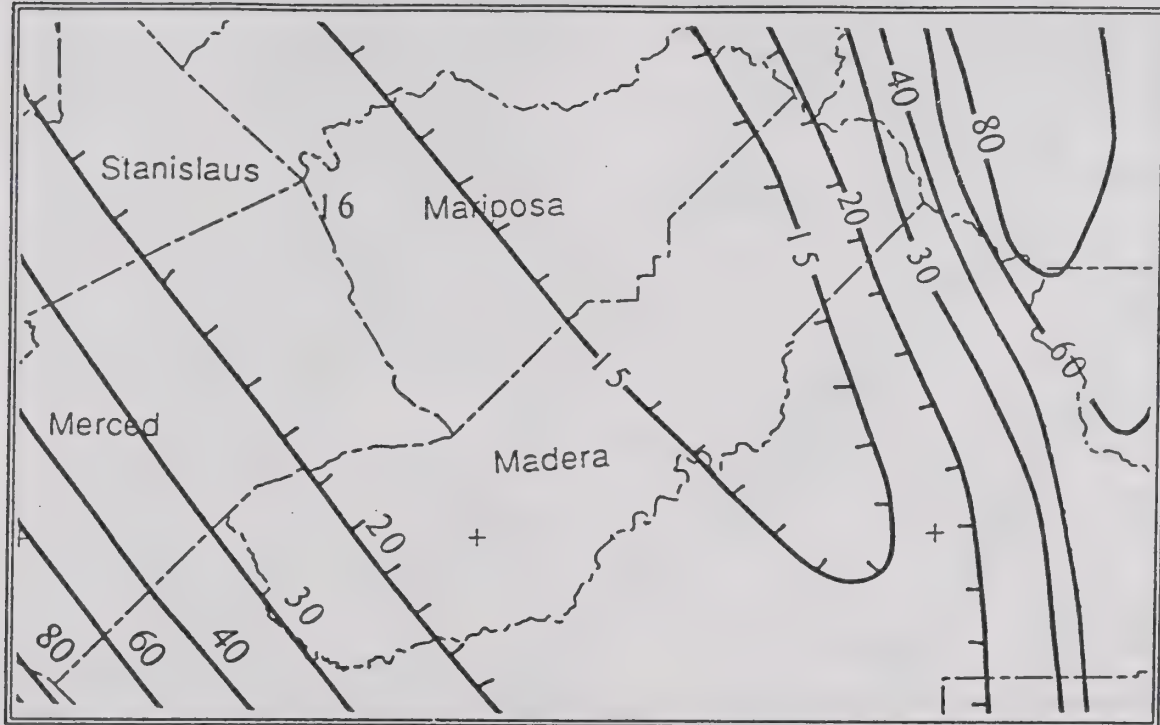
¹ Expressed in percent of the acceleration of gravity. Values of spectral response acceleration from the map are divided by 100 for use in the terms in the Appendix to Chapter 1.

² Effective peak acceleration (A_a) may be determined approximately by dividing map values of spectral response acceleration (in percent of the acceleration of gravity) by 2.5.

Seismic Zonation Map for the County of Madera

FEMA Map 12:

Maximum 1.0 second spectral response acceleration (in percent gravity), with a 90 percent probability of non-exceedance in 250 years.



Scale 1:1,500,000

1 inch $\approx$ 23.7 miles

1 cm = 15 km

Extract from: Building Seismic Safety Council, 1991, NEHRP recommended provisions for the development of seismic regulations for new buildings: Federal Emergency Management Agency, FEMA Report 222.

MAP 12

Preliminary map of the maximum 1.0 second spectral response acceleration¹, $S_A(1.0)$, with a 90 percent probability of nonexceedance in 250 years. The map values include estimates of variability in the attenuation of spectral acceleration and in fault rupture length.

These maps are presented to introduce new and relevant data for estimating spectral response acceleration. They should not be used for design at this time but should be evaluated by trial design. Review and comments on these maps are invited. Direct comments to the BSSC, 1201 L St., N.W., Suite 400, Washington, D.C. 20005.

The estimation of low values of probability of ground motion (250-year exposure time) may give unrealistic values of spectral acceleration because of uncertainty in attenuation of spectral values and in fault rupture length. The uncertainty is increased in the central and eastern United States because of the difficulty of defining earthquake source zones and the infrequency of earthquake occurrence. Thus, any values on this map should be considered advisory and treated with caution.

Prepared by the U.S. Geological Survey for the 1991 Edition of the NEHRP Recommended Provisions for the Development of Seismic Regulations for new Buildings.

¹ Expressed in percent of the acceleration of gravity. Values of spectral response acceleration from the map are divided by 100 for use in the terms in the Appendix to Chapter 1.

County: Madera

Schools:

☐ Other _____

☐ Other _____

61

IM6-2
orc-2

Received by
DEPARTMENT OF CONSERVATION
JUL 05 1994
Governmental and Legislative
Policy Office

DEPARTMENT OF FISH AND GAME

REGION 4

1234 East Shaw Avenue

Fresno, CA 93710

(209) 445-6152



August 23, 1994

Mr. Leonard Garoupa
Madera County Planning Department
135 West Yosemite Avenue
Madera, California 93637

Dear Mr. Garoupa:

Madera County General Plan Update
Draft Environmental Impact Report (EIR)
SCH #93102017

We have reviewed the Draft EIR for the project referenced above, a comprehensive update of the Madera County General Plan. The EIR attempts to provide a thorough assessment of impacts associated with growth and define appropriate mitigation measures to reduce or eliminate significant effects.

Plant and wildlife resources exist in the planning area that will be significantly adversely affected by growth at the levels proposed in the General Plan Update. We believe these resources have not been thoroughly described in the Draft EIR, nor have mitigation measures, frameworks or standards been proposed that would reduce these impacts to less-than-significant levels, in either the general plan, specific plan or individual project stages. We also believe that the document, intended to function as both a Program EIR and Master Environmental Assessment, fails to provide the level of analysis necessary to streamline, expedite or simplify subsequent environmental review, as discussed on pages 3 and 4 of the Draft. Even the broadest level of analysis is essentially postponed to later project development stages at the expense of both wildlife which will be deprived of the benefits afforded by early analysis, and county residents, prospective residents, land owners and developers who will likely incur unanticipated difficulty and expense when trying to accommodate growth as planned. Our specific comments follow.

DISCLOSURE OF BIOLOGICAL RESOURCES

The Document does not adequately identify biological resources in the planning area. Absent at least a certain minimum level of specific resource assessment it is impossible to assess growth impacts, devise feasible mitigation measures, or provide for streamlined environmental review of subsequent projects. This necessary level of base-line resource assessment appears to not only be lacking with respect to biological resources but also with respect to other factors that contribute to biological resource impacts such as water resources and air quality.

We recommend that disclosure of biological resources include:

1. A more comprehensive inventory of known sensitive wildlife resources in the County

Maps and tables in the Draft only indicate potential sensitive areas. This inventory should include, at minimum, California Natural Diversity Data Base (CNDDB) information, resources identified during environmental review for other projects such as Rio Mesa Planning Area, our Department's Swainson's Hawk and vernal pool inventories and other available sources. These should be a part of any analysis leading to land use designations or their programmatic mitigation. Known sensitive resources should be mapped to enable them to be clearly compared to new growth areas and proposed county land use in general. The plan inventory should also include a total acreage of known sensitive resources that could then be compared with total acreage of predicted growth.

The following species were apparently omitted from sensitive species discussion in the document:

- a. State-listed (Threatened) Swainson's Hawk has been known to nest in the planning area. Land use changes could impact foraging area and construction activities could disturb or destroy nesting sites. These impacts should be disclosed in the document along with programmatic guidance for impact mitigation.
- b. State and Federally-listed (Threatened) giant garter snake could inhabit riparian habitat in valley floor areas of the County and should be considered in discussions of special status animals affected by growth and agricultural expansion.
- c. The mountain lion, a California Species of Special Concern is known to occur in eastern Madera County. Increased growth in this part of the County may result in increased human/mountain lion interactions resulting in adverse effects to both species. The EIR should discuss these effects and potential conflicts.
- d. Bears will also be affected by increased human/bear encounters associated with plan related growth and programmatic measures such as garbage handling procedures etc., should be included to minimize bear conflicts and damage.

Additionally, the Document does not address the effects of additional growth on existing wildlife related recreational opportunity. It is likely that additional growth will result in both a decrease in private lands available for hunting and fishing opportunity and increased hunting and fishing pressure on remaining public and private lands in Madera County and vicinity.

2. Biological inventories of areas that appear to have both a high potential for supporting sensitive species and/or significant wildlife habitat and a high potential for increased General-Plan-related growth, agricultural expansion or increased recreational use

- a. There is an approximately seven to twelve-mile-wide strip of annual grassland that bisects the County just east of Madera that contains a substantial portion of the potential sensitive species habitat identified in the Draft EIR (see figures 6-12 and 6-13 in the Draft Background Report). This area also lies where growth is projected to increase at, buildout, up to ten fold (see figure 2-2 and table 2-13 in the Draft EIR). Biological resources in this area need to be more completely assessed prior to adoption of a General Plan and it's land use designations.

- b. Much of the remainder of the foothill area west of the national forest supports a significant wildlife resources (oak woodland, riparian habitat, resident and migratory deer habitat), yet the General Plan forecasts a significant amount of growth (much of it in the form of rural residential or other very low density agricultural zoning-related usage) in this area. Impacts to wildlife resources in this area are likely to be severe due to extreme fragmentation and degradation of habitat areas, erosion, and disturbance to riparian systems, traffic, noise, illumination, and other features associated with sprawling low-density growth. In order to clearly disclose and mitigate these impacts to biological resources (including riparian systems), the resources need to be inventoried before as a part of directing any degree of new growth into this area. The General Planing level is the appropriate planning stage to complete this assessment, for once the land use and public expectations are established, the requirement to mitigate these resources is typically viewed as a "late hit".

3. Assessment of effects of increased water use on wildlife resources

Plants and wildlife are dependent on water for survival. Proposed growth in the County would result in more than double the current human water demand. This level of increase, in a County where water quantity and quality problems already exist, could likely result in impacts to wildlife. Increased use of surface water, as currently proposed for the Rio Mesa area or reliance on springs could result in loss of wildlife and riparian habitat over broad areas. Drawdown associated with increased groundwater usage could impact sub-surface flows that support wildlife habitat. These effects need to be considered and an acceptable surface and ground water supply-use balance established as a guiding feature of the plan.

WETLAND AND RIPARIAN POLICES (page 7-38):

5.D.1. and 5.D.2. - It will likely be economically and biologically difficult to achieve no-net-loss of wetlands in the Rio Mesa and possibly other areas. We recommend that in order to make this mitigation measure more achievable, that significant vernal pool and other wetland areas be identified and preserved in a programmatic manner prior to approval of land use changes in these sensitive areas. We can provide some assistance in development of workable mitigation strategies.

B-3-4

5.D.4. - A standard riparian setback of 100 feet for non-vegetated channels and 50 feet from the outer edge of riparian vegetation on vegetated channels will in many cases not provide adequate preservation of riparian resources, erosion protection or suitable animal migration and habitat corridors. We recommend that riparian protection zones should include the following setbacks (based on an in progress analysis of regional riparian resources) except where greater setbacks are recommended by the San Joaquin River Parkway Plan:

Urban Areas (more than one dwelling per two acres): building and clearing setbacks of 100 feet on both sides of perennial streams and 75 feet on both sides of intermittent streams as measured from the midline.

B-3-5

Non-urban Areas: building setbacks of 300 feet on both sides of large perennial streams, 150 feet on both sides of small perennial streams, and 100 feet on both sides of intermittent streams. Vegetation shall not be disturbed except to improve wildlife habitat within 150 feet of perennial streams and 75 feet of intermittent streams. All the above setbacks need to be measured from the midline of the stream.

5.D.5. - We believe that this policy can only be effective if these remaining upland areas adjacent to wetlands and riparian areas are identified prior to making land-use change decisions.

B-3-6

5.D.7 - We have some concerns over citing the San Joaquin River Parkway Plan as a mitigation measure for impacts to Parkway associated riparian habitats. The plan, which has received no comprehensive environmental review, proposes a large increase in human disturbance near riparian habitat. Further, we have seen the Plan's setbacks and other protective standards modified on several occasions to accommodate desired Parkway features on adjacent developments. We recommend that if the Parkway Plan goals or policies are to be used, they should be re-stated in the General Plan in a way that assures their consistent use and enforceability.

B-3-7

FISH AND WILDLIFE HABITAT (pages 7-39 and 40)

5.E.1. - Habitat must be identified and programmatic standards adopted prior to approval of land use changes for this policy to be effective.] B-3-8

5.E.2. - How will these areas be defined and identified? Is this measure to apply to lands of lower wildlife value than those discussed in 5.E.1?] B-3-9

5.E.6. - It is impossible to insure the conservation of sufficiently large continuous expanses of native vegetation to provide suitable habitat for maintaining abundant and diverse wildlife without identifying such areas prior to approval of land-use changes.] B-3-10

5.E.10. - What is the definition of a significant ecological resource area? We recommend that it be defined to include habitat where State or Federally-listed Threatened Endangered candidate, sensitive or species of special concern could occur. Reconnaissance level surveys should include an assessment of habitat quality. Approval of discretionary projects should be based on the applicants ability to avoid or mitigate impacts. This policy would be particularly effective if implemented in conjunction with a formal Habitat Conservation Plan.] B-3-11

5.E.11. - The County will require a buffer with a minimum width of 150 feet between existing or planned urban development and what?] B-3-12

DRAFT BACKGROUND REPORT

1. Agencies With Permitting Authority pages 1-35 and 1-36

The Department has jurisdiction over not only waters containing fish and wildlife resources but also over any stream or lake as defined in the State Resources Code (sections 1.56 and 1.72). We consider seasonal or ephemeral streams designated waters for purposes of notification pursuant to Fish and Game Code Sections 1600 et. seq. This State law requires notification of the Department in advance of beginning projects that substantially divert, obstruct, or change the natural flow or the bed, bank or channel of any stream or lake designated by the Department.] B-3-1

The United States Army Corps of Engineers authority extends to vernal pools and other wetlands under section 404 of the Clean Water Act.

2. Agencies with Review Authority page 1-36

Mr. Leonard Garoupa
August 23, 1994
Page Six

The Department is required to issue findings on State lead agency projects only.] B-3-13

ADVANTAGES OF A WILDLIFE ELEMENT

We appreciate that Madera County has invested much time and money on this General Plan Update and Draft EIR, however, the efforts fall short of the level needed for both the County and the wildlife to benefit. In our experience the best General Plans with respect to streamlining subsequent environmental review and providing adequate protection of biological resources contain an additional Wildlife Element. Tuolumne County has developed such an Element and now enjoys certain permit streamlining benefits as well as the benefit associated with balanced resource protection. We strongly encourage Madera County to invest in the development of a similar document. We can provide technical assistance in outlining and developing such a document subject to your request.] B-3-14

If you have any questions regarding these comments please contact Ms. Donna Daniels, Environmental Specialist, at the address or telephone number provided on this letterhead.

Sincerely,

for *Hal Mitchell*
George D. Nokes
Regional Manager

STATE LANDS COMMISSION

LEO T. MCCARTHY, *Lieutenant Governor*
GRAY DAVIS, *Controller*
RUSSELL S. GOULD, *Director of Finance*

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, CA 95814-7187
ROBERT C. HIGHT
Executive Officer

September 22, 1994

File Ref.: 93102017

Mr. James T. Burroughs
Projects Coordinator
The Resources Agency
1416 Ninth Street
Sacramento, CA 95814

Attention: Nadel Gayou

Mr. Leonard Garoupa, Director
Madera County Planning Department
135 West Yosemite Avenue
Madera, CA 93637

Dear Mr. Burroughs and Mr. Garoupa:

Staff of the State Lands Commission (SLC) has reviewed the Draft Environmental Impact Report (DEIR) for the Madera County General Plan, SCH 93102017.

We apologize for the lateness of our comments and would appreciate their consideration by the County. Under the California Environmental Quality Act (CEQA), the County is the Lead Agency and the SLC is a Responsible and/or Trustee Agency for any and all projects which could directly or indirectly affect sovereign lands, their accompanying Public Trust resources or uses, and the public easement in navigable waters.

A review of our files indicates that, by letter dated November 15, 1993, SLC staff provided comments to the NOP for this document with regard to our jurisdiction over both State sovereign and school/lieu lands included within the County. The following is offered to supplement those previous comments.

With regard to State sovereign interests in the San Joaquin River, SLC staff has completed a survey of the State's interests in the bed of the River from Friant Dam to Highway 99. A copy of that survey is attached for your information and reference.] B-4-1

Thank you for the opportunity to comment. If you have any questions concerning the SLC's jurisdiction, please contact Curtis L. Fossum, Senior Staff Counsel, Southern California

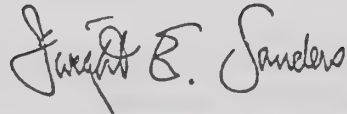
Mr. James T. Burroughs
Mr. Leonard Garoupa

2

September 22, 1994

Region, at (916) 323-8489.

Sincerely,

A handwritten signature in cursive script, reading "Dwight E. Sanders". The signature is written in dark ink and is positioned above the typed name.

Dwight E. Sanders, Chief
Division of Environmental
Planning and Management

Attachment

cc: Mary Griggs
Curtis L. Fossum



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA 95814-2922

September 12, 1994

Regulatory Section (199400520)

Madera County Planning Department
Attn: Mr. Leonard Garoupa
135 West Yosemite Avenue
Madera, California 93637

Dear Mr. Garoupa:

I am responding to the Draft Environmental Impact Report for Madera County General Plan, State Clearing House Number 93102017.

The Corps of Engineers jurisdiction within the study areas is under the authority of Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States or excavation that has more than minimal effect on the aquatic environment in these waters. Waters of the United States include, but are not limited to, the following: the San Joaquin River, perennial and intermittent streams, lakes, ponds, vernal pools, as well as wetlands in marshes, wet meadows, and side hill seeps. Project features that would occur from development within the study areas that result in the discharge of fill material into waters of the United States will require Department of the Army authorization prior to initiating work.

The range of alternatives considered should include alternatives to fill in wetlands or other waters of the United States within the study area. Every effort should be made to avoid project features which require fill or excavation of waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for the losses resulting from project implementation.

Please refer to identification number 199400520 in any future reference concerning this project. If you have any questions, please write to Ms. Kathy Norton, Room 1444, or telephone (916) 557-5260. We would like to work with you to preserve the waters of the United States in your County.

Sincerely,

Tom Coe
Chief, Central Valley Office



United States Department of the Interior

BUREAU OF RECLAMATION
South-Central California Area Office
2666 North Grove Industrial Drive, Suite 106
Fresno, California 93727-1551

IN REPLY REFER TO:

SCC-425
ENV-6.00

Mr. Leonard Garoupa
Madera County Planning Department
135 West Yosemite Avenue
Madera, California 93637

Subject: Madera County Draft General Plan

Dear Mr. Garoupa:

We appreciate the opportunity to review the Madera County Draft General Plan and offer the following comments:

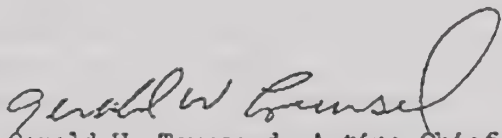
A. Please clarify Agriculture Exclusive designation, does it include grazing?] C-2-1

B. We recommend that a separate land use designation be developed for wetlands, riparian habitats, critical wildlife habitat, habitat for special status species, vernal pools, cultural resources, alkali desert scrub habitats and other environmentally-sensitive features.] C-2-2

C. Page 1-37, Background Report, Millerton Lake State Recreation Area is U.S. Government property managed under contract between the U.S. Bureau of Reclamation and California Department of Parks and Recreation.] C-2-3

If you have any questions concerning our comments, please feel free to contact me at (209) 487-5255 or for the hearing impaired at (209) 487-5933.

Sincerely,


Gerald W. Townsend, Acting Chief
Natural Resource Management Branch
South-Central California Area Office

cc: Millerton Lake State Recreation Area
PO Box 205
Friant, California 93626

TOTAL P.02



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Sacramento Field Office
2800 Cottage Way, Room E-1803
Sacramento, California 95825-1846

In Reply Refer To:
PPN 1598

September 12, 1994

Mr. Leonard Garoupa
Madera County Planning Department
135 West Yosemite Avenue
Madera, California

Subject: General Plan and Draft Environmental Impact Report, Madera County, California.

Dear Mr. Garoupa:

The U.S. Fish and Wildlife Service (Service) has reviewed the Madera County General Plan and Draft Environmental Impact Report (DEIR). These comments are intended to assist you in your review of the proposal, and will not take the place of any formal comments that may be required under the provisions of the Fish and Wildlife Coordination Act.

COMMENTS:

The DEIR evaluates the County's 1994 General Plan. Full development of the Plan would result in the loss a variety of wildlife habitats and species, including habitat for special status species. The DEIR has identified that implementation of the Plan would result in a significant loss of biological resources.] C-3-1

The Service recommends avoidance of both wetland and sensitive species habitats. It is our observation that mitigation for these habitats is rarely fully successful and it is often more cost and time effective to avoid sensitive habitats than to mitigate for their loss. For those unavoidable impacts, we recommend that mitigation be initiated prior to the onset of construction. If there will be a substantial time lag between project construction and completion of the mitigation, a net loss of habitat values would result, and more mitigation would be required to offset this loss.] C-3-2

Because of their very high value to migratory birds, and their ever-increasing scarcity in California, our mitigation goal for wetlands (including riparian, riverine, and vernal pool wetlands) is no net loss of in-kind habitat value or acreage (whichever is greater).] C-3-3

Under provisions of the Fish and Wildlife Coordination Act, the Service advises the U.S. Army Corps of Engineers (Corps) on projects involving dredge and fill activities in "waters of the United States", of which wetlands and] C-3-4

some riparian habitats are subcategories. Since portions of this proposal may ultimately require a Corps permit, the Service will subsequently be involved under the Coordination Act. When reviewing Corps public notices, the Service generally does not object to projects meeting the following criteria:

1. They are ecologically sound;
2. The least environmentally damaging reasonable alternative is selected;
3. Every reasonable effort is made to avoid or minimize damage or loss of fish and wildlife resources and uses;
4. All important recommended means and measures have been adopted, with guaranteed implementation to satisfactorily compensate for unavoidable damage or loss consistent with the appropriate mitigation goal; and
5. For wetlands and shallow water habitats, the proposed activity is clearly water dependent and there is a demonstrated public need.

The Service may recommend the "no project" alternative for those projects which do not meet all of the above criteria, and where there is likely to be a significant fish and wildlife resource loss.

When projects impacting waterways or wetlands are deemed acceptable to the Service, we recommend full mitigation for any impacts to fish and wildlife. The Council on Environmental Quality regulations for implementing the National Environmental Policy Act define mitigation to include: 1) avoiding the impact; 2) minimizing the impact; 3) rectifying the impact; 4) reducing or eliminating the impact over time; and 5) compensating for impacts. The Service supports and adopts this definition of mitigation and considers the specific elements to represent the desirable sequence of steps in the mitigation planning process.

The Madera County General Plan DEIR utilizes habitat names found in "A Guide To Wildlife Habitats of California" (Mayer 1988). The Service considers the use of that document as somewhat dated and too general for describing unique biotic habitats. Since 1988, much information has been collected on the distribution and ecology of many of the habitats in California. A committee of over 30 botanists, conservationists, and ecologists representing many organizations, Federal and state agencies have participated in collecting and reviewing a new inventory of the classification of natural communities in California, entitled "Series Level Descriptions of California's Vegetation". The California Department of Fish and Game has offered to coordinate the review of this information compiled by Dr. John Sawyer. Although reviews will not be completed on the draft copy and a final publication will not be ready until the end of the year, the Service supports and recommends using the "Series Level Descriptions of California's Vegetation" for ongoing and planned work efforts that describe habitat groupings such as found in the Madera County General Plan DEIR. The Service suggests contacting Dr. Todd Keeler-Wolf, Vegetation Ecologist, or Ms. Susan Cochrane, Chief, Natural Heritage Division, California Department of Fish and Game, for further information regarding this matter.

Part of the Madera County planning area occurs within the breeding range of the peregrine falcon (*Falco peregrinus*) and contains suitable nesting habitat. The U.S. Fish and Wildlife Service would like to emphasize the importance of identifying and protecting suitable nesting habitat for this endangered species, to aid in its recovery. The Madera County Draft General Plan policy 5.E.1. addresses this issue in general. There is also suitable foraging and roosting habitat for wintering bald eagles (*Haliaeetus leucocephalus*). When specific projects are planned in these areas there should be site-specific analyses to determine whether the projects affect these federally listed species. If the analyses determine that the projects may affect these species, then consultation with the Fish and Wildlife Service would be required.

C-3-

The Service wants to inform the Madera County planning staff that Mariposa pussypaws (*Calyptridium pulchellum*) and orange lupine (*Lupinus citrinus* var. *citrinus*) are Federal candidate 1 species and not FC2 as stated on page 6-44 of the DEIR. The Service also recommends that heartscale (*Atriplex cordulata*) and beaked clarkia (*Clarkia rostrata*) be added to the list of special status plants that occur in the county. Both these species are Federal candidate 2 species. Ewan's larkspur (*Delphinium hansenii* ssp. *ewanianum*) has been recommended to our Regional Office to be considered as a candidate 2 species. We request that Ewan's larkspur be added to the special status plant list as well.

C-3-8

The Service believes that implementation of proposed actions could affect the threatened Lahontan cutthroat trout (*Oncorhynchus* [-*Salmo*] *clarki henshawi*), Paiute cutthroat trout (*Oncorhynchus clarki seleniris*), and Kern Brook lamprey, (*Lampetra hubbsi*), a category 2 species. Fish species utilizing San Joaquin and Fresno river habitats could be affected if water is diverted or pumped, or river habitat is modified. The threatened Delta smelt is known to occur within Madera County. Salmon restoration efforts taking place in the San Joaquin river could be affected by habitat loss within the project area.

C-3-

The project would also have significant impacts on the California tiger salamander (*Ambystoma californiense*), western spadefoot toad (*Scaphiopus hammondi hammondi*), western pond turtle (*Clemmys marmorata*), foothill yellow-legged frog, (*Rana boylei*), and California red-legged frog (*Rana aurora draytonii*). Mitigation is recommended to reduce the level of impacts.

C-3-10

The valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) will be affected when development occurs in montane riparian areas. Revegetation efforts are required as mitigation for impacts to elderberry plants which serve as habitat for the beetle. Invertebrates such as California linderiella (*Linderiella californica*), vernal pool fairy shrimp (*Branhinecta lynchii*), and Packard's tadpole shrimp (*Lepidurus packardii*), may be listed in the near future. Incidental take authority would be needed if listed shrimp species are located in habitat that is to be developed.

C-3-1

Surveys for San Joaquin kit fox (*Vulpes macrotis mutica*), Fresno kangaroo rat (*Dipodomys nitratoideis exilis*) and blunt-nosed leopard lizard (*Gambelia* [-*Crotaphytus*] *silus*) should utilize the protocol developed by the California Department of Fish and Game. Site mitigation for the San Joaquin kit fox

C-3-1

should follow the "Standard Recommendations For Protection of the San Joaquin kit fox". Applicants should contact the Service to obtain information on standard habitat compensation requirements.

C-3-12

Information and maps concerning candidate species in California may be obtained from the California Natural Diversity Data Base, a program administered by the California Department of Fish and Game. Requests for information should be addressed to the Marketing Manager, California Department of Fish and Game, Natural Diversity Data Base, 1416 Ninth Street, Sacramento, California 95814. The marketing manager may be contacted by calling (916) 324-0562. You may request additional information from the Chief, California Department of Fish and Game, Non-Game Heritage Program, at (916) 324-8348.

C-3-13

Given the presence of federally listed species in the planning area, the County must address the regulatory requirements of the Endangered Species Act of 1973, as amended (Act), to remain in compliance with this statute. Section 9 of the Act and its implementing regulations prohibit the "take" of a federally listed fish and wildlife species by any person, as defined by the Act. Take is defined by the Act "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any such species. Take may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR § 17.3).

Take incidental to an otherwise lawful activity may be authorized by one of two procedures. If a Federal agency is involved with the permitting, funding, or carrying out of this project, initiation of formal consultation is required between that agency and the Service pursuant to Section 7 of the Act if it is determined that the proposed project may affect a federally listed species. Federal agencies must confer if they determine that the continued existence of a proposed species may be jeopardized by the project. Such consultation or conference could result in a biological opinion that addresses anticipated effects of the project to listed and proposed species. The biological opinion may authorize a limited level of incidental take for federally listed species.

C-3-14

If a Federal agency is not involved with the project, and federally listed species may be taken as part of the project, then an "incidental take" permit pursuant to Section 10(a) of the Act should be obtained. The Service may issue such a permit upon completion by the permit applicant of a satisfactory conservation plan for the listed species that may be affected by the project. Initiation of a conservation planning process under section 10(a) of the Act would help ensure a consistent and effective approach to reconciling the habitat requirements of listed species with the County's need for future growth.

We recommend that appropriately designed surveys for listed, proposed, or candidate species be undertaken by qualified biologists. Surveys for plants should not be restricted to the identified species; instead, a complete botanical inventory of the project site should be conducted. Botanical surveys should be conducted at intervals throughout the spring and summer, in order to maximize the likelihood of encountering each species during the

C-3-15

season most appropriate for accurate identification. Surveys should be based on field inspection, and not on prediction of occurrence based on habitat or physical features of the site. Guidelines for conducting adequate botanical surveys are available from the Natural Heritage Division of the California Department of Fish and Game at (916) 322-2493.

Should these surveys determine that listed, proposed, or candidate species may be affected by the proposed project, the Service recommends that the project proponent, in consultation with this office and the California Department of Fish and Game, develop a plan that mitigates for the project's direct and indirect impacts to these species and compensates for project-related loss of habitat. The mitigation plan also should be included in the environmental impact report. C-3-15

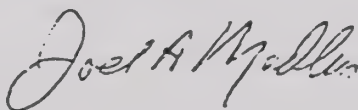
One of the benefits of considering candidate species as well as listed and proposed species early in the planning process is that by exploring alternatives, it may be possible to avoid conflicts that could develop, should a candidate species become listed before the project is complete. In addition, in instances where the Service addresses proposed projects under its Fish and Wildlife Coordination Act authority, we must also analyze the impacts on candidate species and make recommendations to mitigate any adverse effects.

SUMMARY:

The plan area contains large tracts of fish and wildlife habitat which, as a result of this plan, would be modified or lost. It is Service policy to recommend that significant natural resources, particularly wetlands, be avoided so that mitigation/compensation is not needed or is much reduced. We recommend that a watershed or ecosystem based habitat management plan be cooperatively developed between the Corps, EPA, Service, individual land holders, and the counties of Fresno and Madera, which will address the long-term impacts to wetlands and associated habitats. This plan should be developed prior to the development of any Specific Plans within the General Plan area. Without the incorporation of this measure and the other measures identified in the DEIR to reduce natural resource impacts, significant losses to the natural resources will occur within the Plan area. C-3-1

If you have any questions regarding these comments, please contact Mark Littlefield at (916) 978-5804 ext. 351.

Sincerely,



Joel A. Medlin
Field Supervisor

cc: RD (AFWE), FWS, Portland, OR

Dir., CDFG, Sacramento, CA
Reg. Mgr., CDFG, Reg. IV, Fresno, CA



Chawanaakee Joint School District

P.O. Box 400 • 33173 Road 222 #4 • North Fork, California 93643

(209) 877-6209 Fax (209) 877-4802

Philip O. Pendley, Ed. D., Superintendent

September 7, 1994

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Leonard Garoupa
Madera County Planning Department
209 West Yosemite Avenue.
Madera, California 93638

Dear Leonard,

In response to the draft documents of the Madera County General Plan, I would like to say that, in most respects, it appears to be a reasonable plan for the growth and development of Madera County. However, as the Superintendent of two school districts I could not help but notice that public facilities and services such as water, roads, sewer and fire protection are dealt with in one manner while schools are dealt with in another. Specifically, the draft General Plan documents state that development "shall" mitigate the entire cost of the provision of services such as water, roads, sewer and fire protection while for schools the documents state that development "should" mitigate the cost of providing school facilities.

As we have discussed in the past, schools are a part of the total public facilities planning effort. To treat them differently seems to be inconsistent with what I have heard from the Planning Department and from the Board of Supervisors. The documents clearly refer to schools as public facilities and services in several places. On page 38 of the draft policy document, policy 3.B.1., it is stated, "the county shall require that new development pay its fair share of the cost of developing new facilities and services and upgrading existing public facilities and services". From the perspective of those of us who represent schools, this makes the document internally inconsistent. Schools, which are public facilities, are treated differently than other public facilities.

As the Superintendent of two school districts, I believe it is important that schools have language in the General Plan which is consistent with the language used for the mitigation of all other public facilities and services. This General Plan is one which Madera County will live with for many years after those of us who are currently involved are gone. We believe it is important to address this issue now,

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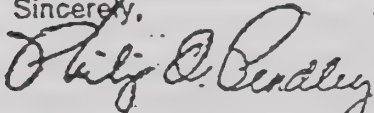
before the development we all are anticipating becomes a reality. It is an opportunity for all public services, including schools, to be planned and funded ahead of development rather than after the fact. Therefore, on behalf of the Chawanakee Joint School District and the Sierra Joint Union High School District, I am requesting the following change in school financing policy (page 5-52, Draft Environmental Impact Report).

3.1.6. "The County shall work closely with School Districts to secure adequate funding for new school facilities and, where legally feasible, the County shall provide a mechanism which, along with state and local sources, requires development projects to satisfy an individual school district's financing program based upon evidence of their impact."

As you know, I believe that this is an important issue for schools and for the long term health of Madera County. I appreciate the positive working relationship we have had in the past and I look forward to working with the County to insure that any new development is structured in such a way that the vital services necessary to the health and welfare of our communities is provided. I believe that, working together, we have an opportunity to shape the future in a very positive way for Madera County.

Thank you for your consideration.

Sincerely,



Philip O. Pendley, Ed.D., Superintendent
CHAWANAKEE JOINT SCHOOL DISTRICT
SIERRA JOINT UNION HIGH SCHOOL DISTRICT

POP/sj

LOZANO SMITH
SMITH WOLIVER & BEHRENS

ATTORNEYS AT LAW

September 9, 1994

Mr. Leonard Garoupa
Director of Planning
County of Madera
209 West Yosemite Avenue
Madera, California 93637

Re: Madera Unified School District's Comments On
The County Draft General Plan Update And EIR

Dear Mr. Garoupa:

I am writing on behalf of the Madera Unified School District to comment upon the June 1994 drafts of the Madera County General Plan and Environmental Impact Report. The specific documents I am commenting upon are the draft Background Report, the draft Policy Document and the draft Environmental Impact Report.

The focus of the school district's review of these documents has been to determine whether the General Plan and the EIR adequately deal with the impact of population growth on School District facilities. As you know, the California Environmental Quality Act requires the County to adopt feasible mitigation measures (or feasible environmentally superior alternatives) in order to substantially lessen or avoid otherwise significant adverse environmental impacts (Cal. Pub. Resources Code, §§ 21002, 21081; CEQA Guidelines, §§ 15002, 15091.) For each significant effect, the EIR must identify specific mitigation measures. To be considered adequate, mitigation measures should be specific, feasible actions that will actually change adverse environmental conditions. Mitigation measures consisting only of further studies or consultation with other agencies that are not tied to a specific action plan may not be adequate and should be avoided. (*Sundstrom v. County of Mendocino* 202 Cal.App.3d 296.)

The EIR recognizes that population growth permitted by the draft General Plan would necessitate new school facilities in the Madera Unified School District and that the need for such facilities is a significant environmental impact.

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Diana K. Smith
Michael E. Smith
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(DEIR pp. 1-19 and 5-52.) The draft also acknowledges that a requirement that new development fully mitigate the need for new school facilities would mitigate this significant environmental impact. The draft notes that it may not be possible to require existing approved subdivisions to fully mitigate the impact of growth on school facilities. The draft then concludes that "even with the requirement that new development fully mitigates school facilities, therefore, future development would still have a significant impact on the Madera Unified School District". (DEIR p. 5-53.) The draft fails to recognize, however, that requiring new development to fully mitigate school facilities would substantially lessen the significant environmental impact of growth on school facilities.

D-2-2

As pointed out in the draft Background Report (p. 4-19.) It is feasible, when making quasi-legislative decisions to require new development to fully mitigate the impact of the development on school facilities. Therefore, the County must adopt policies and mitigation measures to address this problem and to at least substantially lessen the impact of growth on school facilities.

Specifically, in the draft EIR at page 5-52, the word "shall" must be used in place of the word "should" in policies numbered 3.I.2, 3.I.3 and 3.I.4. In policy number 3.I.6 the word "may" must be replaced with the word "shall". In other words, the policies related to school siting and school financing should be worded in mandatory terms.

Likewise, in the draft Policy Document at page 44, mandatory language must be used in policies numbered 3.I.1 through 3.I.6. Of particular importance, policy 3.I.4 should read as follows:

D-2-3

"The County shall include schools among those public facilities and services that are considered an essential part of the infrastructure that shall be in place as development occurs."

It is also critical that policy 3.I.6 read as follows:

"The County shall work closely with school districts to secure adequate funding for new school facilities and, where legally permissible, the County shall provide a mechanism which, along with state and local sources, requires development projects to satisfy an individual school district's financing program based upon evidence of their impactation."

Mr. Leonard Garoupa
September 9, 1994
Page 3

On a more technical level, certain data in the draft EIR needs to be corrected or updated. On page 4-17, reference is made to the Madera Unified School District enrollment figures. Enclosed with this letter is a two-page document showing actual enrollment on September 6, 1994. The total K-12 enrollment on September 6 was 14,923 students. That figure will increase substantially in the next few weeks and will peak-out in October at between 15,300 and 15,500 students. Please note that these figures differ substantially from the figures used in the DEIR.

D-24

On page 4-18, reference is made to a planned junior high school in the Ranchos area. While the District has acquired a site for a junior high in the Ranchos, no specific plans for a school have been made. However, the Martin Luther King Junior Middle School on the east side of the City of Madera will open in September of 1995. It will alleviate overcrowding at the Jefferson School.

D-2-

On page 5-45, both the enrollment figures and the student yield factors need to be corrected. The assumption, on page 5-46, of 25% multi-family residential development is invalid. Since other data, such as Table 5-10, depend upon a correct student yield factor, the other data will need to be corrected. A copy of the Development Fee Justification Study, prepared for the Madera Unified School District in August 1994 by Michael Paoli and Associates, contains the accurate information and data you will need to make these corrections. A copy of the Paoli study is enclosed with this letter.

D-2-

On page 5-50, reference again is made to a junior high school in the Ranchos area. As noted above, while a site has been acquired, there are no current plans to build such a school.

D-2-

Finally, the School District notes that the draft EIR and the draft Policy Document contain policies requiring and encouraging the joint development of recreation areas, turf areas, multi-purpose buildings and the like. The School District concurs with the need for these policies.

D-2-

Thank you very much for the opportunity to comment on these documents. If you have any questions about these comments or if you need any additional data or information regarding the School District, please contact the

Mr. Leonard Garoupa
September 9, 1994
Page 4

undersigned or contact Robert W. Owen, the Director of Facilities and Operations for the School District. I can be reached at (209) 445-1352. Mr. Owen can be reached at (209) 675-4500.

Very truly yours,

LOZANO SMITH
SMITH WOLIVER & BEHRENS

Thomas J. Riggs

TJR/gl

cc: Dr. George Bloch
Robert W. Owen

Encl. 1) Enrollment Data
2) Development Fee Justification Study

MADERA COUNTY MOSQUITO
AND VECTOR CONTROL DISTRICT

900 NORTH GATEWAY DRIVE
MADERA, CALIFORNIA 93637
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STEVE DILLAHUNTY
SOURCE REDUCTION

September 9, 1994

To: Mr. Leonard Garoupa
Madera County Planning Department
135 W. Yosemite Ave.
Madera, CA. 93637

From: Steve Dillahunty
Source Reduction Officer
Madera County Mosquito and
Vector Control District

Subject: Comments on the Draft General
Plan Update for Madera County

Dear Mr. Garoupa:

After reading the Draft General Plan Update that has been prepared for Madera County, I believe I should submit several comments that are consistent with the Draft Update Plan as "an informational document which will inform public agency decision makers and the public generally."

The conversion of agricultural and grazing land to urban usages ultimately places residential areas, commercial interests, and schools in near proximity to developed agricultural properties. These properties, no matter what control measures are employed, inevitably produce at least some mosquitoes of several species which are both pests, and capable of transmitting diseases. To date, this is most evident to the District as the City of Madera expands to the west and includes new residential areas adjacent to developed farm land. E-1-1

Further, recent State and Federal legislation concerning environmental protection, combined with higher resistance levels in target species, severely limits the types of chemicals the District may use for mosquito control. Higher costs for recently developed control materials and methods of application adds another limitation to the District's effectiveness. E-1-2

These limitations are only heightened when coupled with measures to preserve or recreate a natural or predevelopment habitat, as is planned, for example, in the new growth areas of Rio Mesa and the Gunner Ranch. E-1-3

The Madera County Mosquito and Vector Control District will continue to service to the best of our capabilities those areas that lie within District boundaries. That service will continue to consist of owner encouraged source reduction, biorational larviciding, and selectively applied mosquito adulticiding when absolutely necessary. E-1-4

Given the above noted limitations, however, the District can not guarantee a mosquito-free environment. It therefore seems imperative that all parties concerned with newly developed residential and commercial areas be informed in advance of pre-existing levels of seasonal mosquito infestations, and that those preexisting levels will have to be tolerated.

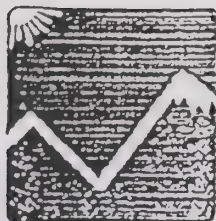
This Vector Control District has responded in written form to individual Environmental Impact Reports for specific proposed development areas in the past. I feel it is important for the general public's level of awareness that this District continue to respond to those individual Reports as they occur, and I look forward to doing so. E-1-5

If I can be of any assistance in this matter, please feel free to contact me at the District Office.

Sincerely,

Stephen J. Dillahunty

Steve Dillahunty
Madera Co. MVCD



San Joaquin Valley Unified Air Pollution Control District

September 12, 1994

C940506

Leonard Garoupa, Planning Director
Madera County Planning Department
135 W. Yosemite Avenue
Madera, CA 93637-3503

RE: Draft EIR - Madera County General Plan Update (SCH# 9310217)

Dear Mr. Garoupa:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the above referenced Draft EIR (DEIR) and offers the following comments:

General Plan Update Comments

The General Plan Update contains a number of policies and programs that will have beneficial effects on air quality. The policy language shows a strong commitment to ensure that the land use pattern and transportation system planned for the County will promote the use of alternatives to the single occupant automobile. The draft document contains many of the strategies contained in the District's Draft Air Quality Guidelines for General Plans. If the proposed policies are fully implemented, the rapid growth predicted for the County will cause less air pollutant emissions and reduce overall air quality impacts.

E-2-1

Draft EIR Comments

The DEIR provides adequate discussion of the potential air quality impacts related to the build out of the draft General Plan. The District strongly agrees with the conclusions of the DEIR. The growth in population and employment associated with development under the draft General Plan will result in a substantial increase in regional pollutants (ozone precursors - ROG and NO_x). Project impacts on regional air quality would remain significant and unavoidable even after implementation of the draft General Plan policies regarding air quality. The rapid growth rates in population and motor vehicle use in Madera County and the rest of the San Joaquin Valley offset a large amount of the emission reductions achieved through tighter tailpipe controls

E-2-2

David L. Crow
Executive Director/Air Pollution Control Officer

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Northern Region

4100 Kennedy Avenue, Suite 100 • Modesto, CA 95206
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Central Region

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Southern Region

2700 N. Street, Suite 275 • Bakersfield, CA 93301
(805) 831-1600 • Fax: (805) 831-7950

and Vehicle Improvements. The programs outlined in the draft General Plan will help reverse the trend of rapidly increasing vehicle use.

E-2-2

The District looks forward to working with Madera County to ensure that individual development projects resulting from approval of the General Plan will fully incorporate the air quality policies and programs and will mitigate air quality impacts to the maximum extent feasible.

E-2-3

Thank you for the opportunity to review the DEIR and draft Madera County General Plan. If you have any questions, please contact me at 497-1075.

Sincerely,

Dave Mitchell

Dave Mitchell
Senior Environmental Planner

c: Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814



E-3

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File No. 550.30
San Joaquin River Area

September 16, 1994

RECEIVED

SEP 22 1994

J. LAURENCE MINTIER
& ASSOCIATES

Mr. Leonard Garoupa
Planning Director
Madera County Planning Department
135 West Yosemite Avenue
Madera, California

Dear Mr. Garoupa,

Comments on the Madera County General Plan Update

The Fresno Metropolitan Flood Control District appreciates the opportunity to review the draft Environmental Impact Report for the countywide Draft General Plan. The District believes the following considerations are relevant to the final Environmental Impact Report.

Section 4.4 "Drainage and Flood Control" of the draft Background Report, identifies problems created from rerouting and channelizing of creeks and channels. Our own experience shows such actions can cause significant flood problems and unanticipated shifts in drainage impacts. Because these issues are wholly internal to Madera County, we limit these comments to that of suggesting you may wish to consider them in your draft Policy Document (and draft EIR, if appropriate). We have found, in our own case, that the preservation of natural drainage/watercourses through easement dedication at the time of development is an effective approach.

E-3-1

Sections 4.4 and 7.3 of the draft Background Report, Sections 5.3 and 8.2 of the draft EIR, and Sections 3.E and 6.B of the draft Policy Document all depend solely on methodology and mitigation relative to the 100-year (1.0%) flood event. In a riverine environment, including those downstream of major structures, risks are far different than in typical sheet flow flood plains, which characterize most of the San Joaquin Valley floor. Because of several unique factors, the District continues to recommend that the Standard Project Flood (SPF) of 51,000 cfs (.4% event) be used as the flood protection standard for the San Joaquin River. This recommendation, which is being implemented in the District relative to the River, requires the developer to elevate the finish floor of buildings 1.0 foot above the level of the water surface associated with a flow of 51,000 cfs in the River. This will result in a uniform floodway in the River of sufficient capacity to achieve early flood warnings and evacuations, relative to uncontrolled riverine flows.

E-3-2

Mr. Leonard Garoupa
p.2

Section 5.3 "Drainage and Flood Control" of the draft Environmental Impact Report does not adequately address the impact urban stormwater runoff could have upon receiving waters represented by the San Joaquin River. The District, and most future urban land users, including those in Madera County, which discharge storm water to the San Joaquin River are now under the strict water quality management mandates of the Clean Water Act. The final Environmental Impact Report should, therefore, include mitigation measures to ensure that appropriate construction and post construction controls will be implemented on development projects along the river to reduce potential stormwater pollutants that could cause now prohibited receiving water quality impacts. E-3-3

We note that the General Plan documents tend to discount the risk to persons or development within dam failure inundation areas. Although the potential for dam failure is "extremely unlikely," statutory obligations require certain minimum considerations relative to such areas. Though major, catastrophic floods are very rare occurrences, the impact on life and property can be absolute, warranting appropriately balanced consideration as a part of general land use planning. E-3-4

Again, the District is most appreciative of the opportunity to comment and we hope our insight and experience has been of help to Madera County. We would be pleased to lend our assistance to your staff in any area where you feel we may be of further help on flood control urban drainage or on stormwater quality issues.

Sincerely,


Renée Mecca
Staff Analyst

RENÉE J. MECCA
STAFF ANALYST



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FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
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DAN GILBERT
DESIGN TECHNICIAN II



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Coarsegold Resource Conservation District

E-4

P. O. Box 1288 - North Fork, CA 93643-1288

September 7, 1994

RECEIVED

SEP 19 1994

J. LAURENCE MINTIER
& ASSOCIATES

Mr. Leonard Garoupa
Madera County
135 W. Yosemite Avenue
Madera, CA 93637

Dear Mr. Garoupa:

We would like you to add the following to the Draft Policy Document of the General Plan Update, Section 5; Agricultural and Natural Resources; Air Quality, General:

The San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) and the State of California now has admitted that the San Joaquin Valley is getting a very large amount of pollutants from the coast over Altamont Pass into our district. It is imperative that the communities and areas producing this pollution be required to help the SJVUAPCD in fighting to get better air quality in the our district.

E-4-1

Thank you for considering some form of a statement regarding this problem.

Sincerely,

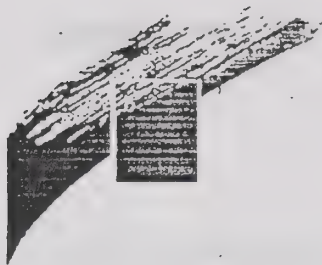
Ronald Severe
President

copies to: Madera County Planning Commission
Madera County Board of Supervisors

P.O. Box 1288
North Fork CA.
93643-1288

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Gena Hopkins ~ 33200 Road 221 ~ North Fork, CA 93643 ~ Telephone (209) 877-4901
George Stafford ~ P. O. Box 7 ~ O'Neals, CA 93645 ~ Telephone (209) 868-3412



San Joaquin River
Parkway and
Conservation Trust

SENT VIA TELECOPIER

September 12, 1994

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(209) 248-8480
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Mr. Leonard Garoupa
Planning Director
135 West Yosemite Ave.
Madera, CA 93637

Subject: Madera County General Plan Update DEIR

Dear Mr. Garoupa:

We are writing in response to your agency's request for comments on the Madera County General Plan Update Draft Environmental Impact Report. We are pleased to see that the draft goals and policies include the San Joaquin River Parkway.

We support the inclusion of the general goals and objectives of the Parkway described in Chapter Two of the Plan prepared by the San Joaquin River Parkway Task Force. Enclosed is a copy of Chapter Two as Attachment "A" to this letter. We would appreciate having an opportunity to meet with you and the appropriate planning consultants to discuss integrating these goals and policies into the Madera County General Plan.

Similarly, we request that the general goals and policies for the San Joaquin River Parkway be included in the Valley Children's/Gunner Ranch and Rio Mesa Area Plans. Goals and policies relating to the Parkway should be consistent within each of these documents.

The San Joaquin River Conservancy, the fifth such State agency, was established in 1992 by Assembly Bill 2452-Costa. The purpose of the Conservancy is to acquire and manage public lands within the San Joaquin River Parkway between Friant Dam and State Highway 99. It reads "it is the intent of the Legislature that the San Joaquin River Conservancy shall promote the parkway and coordinate efforts...". Supervisor Rick Jensen is chairman of the San Joaquin River Conservancy; your office may want to present a report regarding progress on planning efforts to the Conservancy at one of its upcoming meetings.

We appreciate the opportunity to provide this information and look forward to meeting with you on this important matter.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Dave Koehler', written over a horizontal line.

Dave Koehler
Executive Director



OAKHURST RESIDENTS ASSOCIATION
P.O. Box 1554, Oakhurst CA 93644

September 9, 1994

RECEIVED

SEP 16 1994

J. LAURENCE MINTIER
& ASSOCIATES

Mr. Leonard Garoupa
Planning Director
Madera County Planning Department
135 W. Yosemite Avenue
Madera, CA 93637

RE: Draft Madera County General Plan Update

Dear Mr. Garoupa:

What follows are the comments of the Oakhurst Residents Association regarding the Draft Madera County General Plan Update. We would appreciate your office's response to these comments as the planning process indicates is appropriate.

1) RELATIONSHIP OF UNDERLYING PHILOSOPHY, GOALS AND POLICIES OF LAND USE AMONG OAKHURST-AHWAHNEE GROWTH MANAGEMENT PLAN (1980), DRAFT GENERAL PLAN UPDATE AND FUTURE OAKHURST-AHWAHNEE SPECIFIC PLAN UPDATE (Chamber Grant):

A) Page 1-8 in The Draft Background Report states, "The Oakhurst-Ahwahnee Area Plan's overall goals are to preserve the area's rural nature and low residential density ... high density residential and commercial development should be directed away from rural areas...The Plan also directs that new development should not exceed the ability to provide public facilities and services." However, the General Plan Draft EIR, on page 9-18 under the Mandatory CEQA Sections, states, "Cumulative impacts related to land use include the general intensification of land uses in the region and a transition from an agricultural landscape to an increasingly urban setting....Major areas of growth in the region include...the foothills and mountain region of Madera County (e.g., Oakhurst, Coarsegold, Yosemite Lakes Park). How can these two statements be reconciled?"

B) The Draft General Plan Policy Document, Introduction, p. 1, lists under "Purposes of the General Plan", "To define the community's environmental, social, and economic goals," and to "record the local government's policies and standards for the maintenance and improvement of existing development and the location and characteristics of future development." In these two statements, how are "community" and "local government" defined? Do they refer to the Madera County government and the larger countywide community, or to each area, such as Oakhurst, specifically.

C) If, as the Draft Policy Document states under "Structure of the General Plan," that, "The goals and policies contained in the area plans supplement and elaborate upon, but do not supersede the goals and policies of the Draft Policy Document," is it appropriate to conclude that any policies our organization objects to in the Draft General Plan will become the policies of the Specific Plan unless challenged? In what ways can the Specific Plan alter the land use decisions and policies of the General Plan now nearing completion?

F-1-3

D) The Draft EIR states that existing General Plan (and Specific Plan) elements will be either validated, modified or rescinded. It notes, "The four area plans are generally consistent with the new General Plan, but will require some changes to maintain internal consistency; these will be modified through formal amendments." Does this mean that the 1980 Oakhurst-Ahwahnee Growth Management Plan will be amended to conform to the new General Plan and then the new Specific Plan will also have to conform, or, can the new Specific Plan (Chamber Grant) deviate from the new General Plan, and if so, how and to what extent?

F-1-4

2) LAND USE: CONFLICTS AMONG PLANS/ PRECEDENCE OF POLICIES.

A) To what extent can general land use policies expressed in the Draft General Plan be altered in future Specific Plans?

F-1-5

B) If the new General Plan is adopted, which land uses prevail in the interim between that adoption and the preparation and adoption of the new Specific Plan?

F-1-6

3) DRAFT LAND USE DIAGRAM.

A) The Draft EIR on page three notes that, "In most cases the Draft Land Use Diagram merely replaces existing land use designations directly with new designations, resulting in no substantive changes in planned land uses." With reference to the Oakhurst Area Inset Map that appears in the Draft EIR: 1) The lack of topographical and/or infrastructure (roadway) references, and the closeness in physical appearance among many land use designations (subtle shading, etc) make this map extremely difficult to interpret with any accuracy; 2) Why is this Map of a different shape, and why does it cover what appears to be a different area than that covered by the Oakhurst-Ahwahnee Growth Management Plan; 3) Does this Inset Map merely mostly "replace existing land use designations" with new ones (name changes) or is there a substantial change in land use philosophy, specifically with regard to land use configurations and groupings and land use intensities? 4) What percentage of land in the Oakhurst Area Inset Map has changed from low-impact/low intensity uses and/or larger required parcel sizes to more intensive commercial and/or residential uses?

F-1-7

B) The Draft EIR, page 3-5 notes that, "Many of the proposed changes to the Land Use Diagram bring the General Plan into conformance with existing or planned land uses." Land uses planned by whom? Existing specific or general plans, developers, creators of the Land Use Diagram?

F-1-8

4) RESPONSIBLE AGENCY FOR PREPARATION OF SPECIFIC PLAN.

A) The Draft Policy Document, page 16, indicates that the responsibility for preparation of the area plans lies with, in order, the Planning Department, Community Advisory Committees, Planning Commission and Board of Supervisors, with a Time Frame of Fiscal Year 94-95, with funding from the General Fund. How will the County be living up to this responsibility given that the Eastern Madera County Chamber of Commerce has obtained a grant and hired a planner to do the majority of work on the specific plan? What input will the County have into selection of Community Advisory Committees?

F-1-9

5) WATER SUPPLIES.

A) The Draft Policy Document, under Section 3 (C): Water Supply and Delivery (3.C.1), states, "The County shall approve new development only if an adequate water supply to serve such development is demonstrated." Further, the Draft EIR, p. 5-7 notes, "For purposes of this EIR, impacts are considered significant if adoption or implementation of the plan could result in approval of development without

F-1-10

adequate system capacity or the ability to add capacity through facility expansion or the addition of wells, or if the water supply is not adequate to serve projected development." If, as Table 1-1 in the Draft EIR indicates, "The cumulative impacts on water supply in the foothills and mountains from development under the Draft General Plan is unknown," and, "Since adequate water supplies cannot be guaranteed, this is considered a Potentially Significant Impact," how can the Draft General Plan Land Use Element determine how much development, if any, is possible, if the amount and availability of water cannot be ascertained or guaranteed?

B) Table 5-2 of the Draft EIR indicates that water demand at Buildout will be almost five times as high as it was in 1990. Given all of the above facts about water availability, how does the General Plan resolve this apparent conflict?

6) WASTEWATER TREATMENT AND DISPOSAL

A) As with water, how can the amount of allowable development, and its intensity be determined, if as Table 1-1 notes, "The cumulative effects of development in the foothills and mountains using on-site disposal systems over the time frame of the Draft General Plan on groundwater quality is unknown and is therefore considered Potentially Significant." The Table further indicates, "Development in problem areas would be required to be connected to community wastewater systems. This is probably not widely feasible," but then goes on to indicate under "Level of Significance With Additional Mitigation" that the effect is "less-than-significant." How was this determined?

7) TRAFFIC/CIRCULATION.

A) The Draft EIR, page 4-11 indicates that Service Level E (elsewhere defined as "severe congestion") could occur on both SR 41 and Road 426 in the vicinity of Oakhurst," and the Draft Background Report indicates that, "The Route Concept Report for State Route 49 indicates a planned Level of Service of E from SR 41 to Road 628 due to an already high traffic volume expected to expand rapidly in the mountainous highway setting." The Draft EIR notes that "Level of Service D" is the "minimum standard for roadways . . . impacts are identified as any location where Service Level E or F is forecast after roadway improvements . . . are implemented." How then can the Draft EIR, p. 4-11 recommend that, "In view of the cost of roadway improvements in this area, it would appear more reasonable to monitor this area for changes in traffic rather than to propose a specific improvement project at this time"? If unacceptable traffic congestion is inevitable, why not begin planning to alleviate it now through improvements or why not mitigate it by other means, such as growth-regulating mechanisms?

8) AGRICULTURAL AND NATURAL RESOURCES.

A) Draft EIR, page 7-39 states, (5.E.2) "The County shall require development in areas known to have particular value to wildlife to be carefully planned and where possible, located so that the reasonable value of the habitat for wildlife is maintained." Still, page 7-32 indicates that "Aggregate growth in suburban and rural habitats of Madera County will result in substantial loss of native habitats, or a general reduction of habitat values for native plants and animals. The population of the North 41 Corridor Area is expected to increase by 109 percent between the years 1990 and 2010." If, as page 7-36 noted, "Proposed recreational activities are expected to be a considerable impetus for growth in foothill communities," and this growth will destroy wildlife and wildlife habitat, how can this be compatible with the overall goal to preserve wildlife habitat?

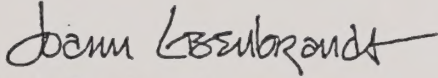
9) PROGRAM EIR.

A) The Draft EIR is a Program EIR, which will govern a "continuing program," and a number of related projects. It is also noted that it will "streamline CEQA compliance for a broad range of subsequent projects." How does the Plan assure that the process will not become too streamlined so that impacts of individual projects are glossed over, and not given adequate consideration and weight? Will the preparation of a "Program EIR," facilitate easier passage of projects with significant impacts? If not, why not?

F1-15

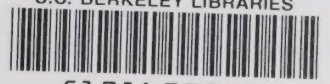
Thank you for the opportunity to submit these comments on behalf of the Oakhurst Residents Association. We look forward to your response.

Sincerely,



Joann Eisenbrandt
Vice President for Communications

U.C. BERKELEY LIBRARIES



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